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# NATIONAL MUNICIPAL REVIEW

**Photos — Inside the  
Pforzheimer Building**

- **Findings on the States**
- **What Ails the Property Tax?**
- **The Property Tax Updated**
- **States Lagging Behind**

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# National Municipal Review

Carl H. Pforzheimer Building, 47 East 68th Street, New York 21, N. Y.

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## ***News of the League***

# **Inside the Carl H. Pforzheimer Bldg.**

The pictures on this page and on pages 502, 551 and 552 are views of various parts of the interior of the Carl H. Pforzheimer Building, new home of the National Municipal League.

Contributions from approximately 250 members and friends to the Building and Remodeling Funds made acquisition of the building possible at the propitious moment that the previous quarters of the League were to be torn down.

The building, in one of the most desirable and quiet sections of New York in which there are many non-profit organizations, consulates and schools, is a substantial six stories built about 50 years ago of steel, brick and stone.

Until it was acquired by the League, it had always been used as a private home, being occupied and owned most recently by Gardner F. Cowles, editor of *Look*. An especially useful feature from the League's standpoint is a two-story meeting room on the fifth floor (see page 502).

Top photo, a view of part of the reception hall. Right, the most uncluttered desk is that of Allen H. Seid, Jr., assistant director, who is shown dictating to his secretary, Mary Leo. Below, the general office, once an impressive dining room, showing Barbara Nadan, Mary Leo, Chad Markham (office manager) and Mrs. Toni Bancroft at various tasks.





The Osborn Room, on the fifth floor, was decorated and furnished by Mr. and Mrs. James M. Osborn, of New Haven, in memory of the late C. M. Osborn, pioneer city manager and father of Mr. Osborn, who is a member of the League's Council. Top shows lounge section; lower pictures are conference section and a part of lounge as seen from sixth floor balcony.

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## The 48 States: Their Tasks as Policy Makers and Administrators

*Findings of the Participants in the Eighth American  
Assembly, October 13-16, 1955, Arden House,  
Harriman, New York*

PRESSING demands are being made on all levels of government. In a country as large and diverse as ours, the historic dynamism and balance of our federal system must be maintained if we are to remain strong and free. For this reason, the American Assembly believes that the continued existence and strengthening of our state governments is imperative. The states must accept promptly their changing responsibilities if they are to continue to be strong and vital parts of our federal system.

The central concern of this Assembly is the capacity of state governments to perform their appropriate functions responsibly, democratically, intelligently and efficiently. The dimensions of its task prevented consideration of the state judiciary and of the interrelations among local, state and national governments.

Some state governments are well geared to handle their responsibilities and have earned the confidence of their citizens; some have taken steps to qualify for confidence; but a large number are poorly prepared to meet the problems that press upon them. Unless these latter states make substantial improvement, they will not win the confidence of their citizens and, in the natural course of events, power will gravitate to other levels that meet more nearly the standards of democratic and competent government.

### I.

The making of policy decisions is the most important responsibility of any government. For policy making in a representative government the legislature is of crucial importance. It needs to represent the people in whose name it acts. It needs leadership. It needs to reach its decisions on the basis of informed, orderly deliberation.

Most state legislatures do not accurately represent the people. In most state legislatures one or both houses are elected by a system of apportionment that represents acres or towns or counties rather than people as individuals. In many states this has been carried to the point where legislative action very frequently reflects minority rather than majority opinion. This has encouraged the majority to turn to methods that by-pass a legislature so inequitably apportioned. The majority often looks solely to the governor who has been elected on a statewide basis; it adopts constitutional amendments that are in effect statutory measures; it writes into the constitution detailed restrictions on the scope of the legislature's powers; it displaces the legislature through excessive use of the initiative and referendum; or it turns too often to the national Congress for relief. These are some of the results of a bad apportionment system.

To restore the people's confidence

in state government, the revision of legislative apportionment in most states is imperative. How fast the states can move toward this objective will vary, but we support the goal of more representative legislatures.

The Assembly agreed that every state should constitutionally provide a sure method of compulsory reapportionment promptly after each census.

Other specific measures would further improve the legislature's capacity to serve as the central policy making organ:

1. The legislature should meet annually without limits on the length or scope of its deliberations.

2. Adequate compensation should be provided for legislators, which in many cases will require substantial increases. Special consideration in this respect should be given to the legislative leaders and such compensation should be on an annual rather than on a per diem or a per session basis. Conflict-of-interest statutes should apply to legislators as well as to other state officials.

3. Legislative councils, interim legislative committees and citizens' committees can contribute much to informed consideration by the legislature. Adequate staff services—for bill drafting and research—and uniform and comprehensive reporting of state activities through a central agency — interstate or national — should improve the quality of legislative consideration.

4. In many states the legislatures should provide more fully for public hearings, adequately announced in

advance, on contested legislative measures.

## II.

The effectiveness of state government is profoundly influenced by the character of its political party system. Strong continuing parties in genuine competition for the voters' favor seem to us the clearest instruments for getting issues formulated, presented to the voters, adopted by the legislature and responsibly executed by the governor.

Political parties presenting programs related to state government can buffer and channel in the larger public interest the narrow and fragmented concerns of lobbyist and special interest groups. This is not to discount the constructive influence organized groups have upon the formulation of legislation and the administration of laws in areas of their interest and special competence.

The governor is the obvious person to provide the political leadership necessary for effective policy making. He can always propose and usually can veto policy measures.

Party responsibility to the people is strengthened where the governor, instead of an invisible boss, is head of his party. It is difficult for the governor to be an effective leader of his party if he serves only a two-year term or if he is ineligible for reelection. To strengthen party responsibility, we recommend that the governor's term be four years, that he be eligible for reelection, and that the voters, rather than the constitution, determine how many terms he shall have.

A representative legislature, a gov-  
(Continued on page 540)

# What Ails Property Tax?

Exemptions, rate limitations, assessment practices found among chief shortcomings of administration.

By ROGER A. FREEMAN\*

IT HAS been said that the property tax is like a mule: no pride in ancestry, no chance of progeny. History records innumerable attempts to make the property tax fair and equitable; few of them succeeded for any length of time. Evasion and inequity have characterized property taxation through the ages.

The principle of *ad valorem* taxation is ancient. The settlers of the Massachusetts Bay Colony, 300 years ago, "levied every man according to his estate." They took this concept from Elizabethan forms of taxation which can be traced back as far as William the Conqueror's Domesday Book. The earliest mention seems to be a real estate tax which the legendary Roman King Servius Tullius slapped on his unsuspecting subjects in the sixth century before Christ. The Romans soon after abolished the kings but they were never able to abolish the tax.

In the United States property was undoubtedly burdened with too great a share of the cost of government until about twenty years ago, when property tax collections totalled more

than all other taxes—federal, state and local—together.

The picture changed drastically in the past quarter century: the property tax turned from a major into a minor item on our tax bill. For some years now it has accounted for only 11 per cent of all taxes. To be sure, property tax collections have not declined. They mounted from \$700 million at the turn of the twentieth century to \$5 billion in 1929, and to \$9.3 billion in 1953. But other taxes outpaced them. Governments in the United States now derive 63 per cent of their tax revenues from income taxes and 26 per cent from excise taxes.

Property taxes claimed about 5 per cent of our national income in the early part of the twentieth century, took 6 per cent in 1929, jumped to 12 per cent during the depression years and fell back to 6 per cent by 1939. Since then our income has climbed faster than property taxes. In recent years property taxes have equalled about 3 per cent of the national income.

All other taxes totalled 5 per cent of the national income early in the twentieth century and until about 1930; since then they have soared to 25 per cent. This radical shift in the tax burden probably exceeds the fondest hopes of those who fought excessive property taxation some 20 and 30 years ago.

\*Mr. Freeman, special assistant to Governor Arthur B. Langlie of the state of Washington, was a staff member of the U.S. Commission on Intergovernmental Relations. This article is his address before the National Conference on Government of the National Municipal League, Seattle, July 26, 1955.

But the property tax still is an essential part of our tax structure. As long as the over-all burden is as heavy as it is, we must of necessity diversify the forms of taxation by which we measure each man's contribution. Ad valorem taxes which are gauged by the ownership of property as a major economic resource serve to provide a better balance of the burden of government. No other tax is equally well suited for imposition by local jurisdictions. Land and houses stay put. The continued existence of local government is inextricably tied to the property tax base.

#### Property Tax Decline

In the past two decades other sources of municipal income have sprung up—sales, business and income or payroll taxes. In 1932 they contributed 3 per cent of the tax revenue of local governments; in 1942, 8 per cent; in 1953, 13 per cent. But 87 per cent of all locally collected taxes still comes from property. Municipal non-property taxes will keep growing at a moderate pace. But the property tax will continue to be called upon to supply the bulk of local government revenues.

The relative decline of the property tax was caused by several developments:

1. State government, which used to receive a substantial part of its income from property taxes, virtually withdrew from the field.

2. Several major functions which had been responsibilities of local government were partially or completely shifted to state or federal governments. This is particularly true of public welfare, roads and schools.

3. The pastures of state and federal aid looked greener. State and federal payments to local governments climbed from \$56 million in 1902 to \$605 million in 1927 and to \$5.7 billion in 1953. In 1902 they equalled 8 per cent of locally-collected taxes; in 1927, 14 per cent; and in 1953, 55 per cent. The states in turn started leaning increasingly on the federal treasury. Federal aid to states rose from \$3 million in 1902 to \$107 million in 1927 and to \$2.6 billion in 1953. In the fiscal year 1955 it exceeded \$3 billion.

Looking toward the future we seem to face a choice between two alternatives:

1. We can continue the trend of transferring activities and responsibilities to higher levels of government. We can easily foresee that such a policy will slowly but surely turn local governments—and eventually state governments—into mere field offices of the federal government.

2. We can strengthen the fiscal powers of local government so that it can cope with its residual responsibilities. This process will inevitably include a program of vitalizing the property tax.

If we are to follow the second alternative we shall need to correct the major shortcomings of the present property tax administration. They are:

1. *Exemptions.* The number of tax exemptions has been increasing to a point where we are dealing less and less with a "general" property tax. Thirteen states grant homestead exemptions, sixteen states veteran exemptions from \$500 up to \$5,000 as

sesed value. Because assessed values are only a fraction of current values, far more residential property escapes taxation than was intended. About a dozen states permit the exemption of new industrial property. Eight states do not tax personality and a number of states make other concessions. Various studies have shown that exemptions are an ineffective and costly method of attracting industrial location. Exemptions are of course popular with the groups for whose benefit they were enacted but it is not sufficiently realized how much of an additional burden they place on non-favored classes of property owners.

#### In Lieu Payments

The federal government enjoys immunity from local taxation. A few agencies make payments in lieu of taxes; e.g., Tennessee Valley Authority, Atomic Energy Commission, Housing and Home Finance Agency. Other departments share revenues with state and local governments (forests, grazing, minerals). Some assistance is given to schools in federally affected areas. But many of these payments fall short of a fair contribution to local government. What is needed—and was recommended by the Commission on Intergovernmental Relations—is a comprehensive system of payments in lieu of taxes in those cases where the federal government has acquired land or buildings in recent years and operates facilities which serve essentially national purposes or commercial operations.

Much state and local government property which is used for proprietary operations, particularly in the

utilities field, escapes taxation. Its share is shifted to the general taxpayer.

2. *Rate Limitations.* Limitations on property tax rates have been used for almost a century but became more widespread in the early 1930s. Nine states now have over-all rate limitations. Almost all states limit the property taxing powers of their political subdivisions and municipal corporations to a maximum millage. Some states permit these rates to be exceeded by popular vote; others do not.

These millage limitations were established at a time when the scope and standards of public services were much lower than they are today. Debt limits which in almost all states are based on assessed valuations frequently prevent local governments from financing school buildings and other badly needed improvements.

These taxing and bonding limits are often cut to a half, a third or less of their statutory level by the practice of assessing property at a fraction of its full value.

3. *Fractional Assessment.* Constitutional and statutory provisions notwithstanding, property has, with rare exceptions, probably never been assessed at full value. In 1929 real estate assessments in the U.S. totalled \$135 billion. It was estimated at the time that the true value was about twice as high. The value of real estate may now be estimated at between \$600 and \$700 billion. Real estate assessments in the United States total only \$200 billion. In other words, real estate is on the average assessed at less than one

third of its current value. That varies, of course, from state to state, the ratio in New York being 65 per cent, in Washington 20 per cent.

Sometimes fractional assessments are rationalized by claiming that current prices are inflated. That is a confusion of terms. What is inflated is not the prices but our currency: we are dealing in 50-cent dollars. The price of real estate is expressed in the same dollars with which we pay taxes and with which cities and schools must pay their salaries and other costs. The statement that assessments are set at "normal" values is an attempt to evade by dialectic means the clear mandate of the law. Appraisals of real estate for other than tax purposes—for banks, insurance, loan companies, prospective buyers—do not seem to be plagued with a concept of "normal" value.

In the 25 states where the state government still receives some share of property tax collections, there is positive encouragement to competitive under-assessment as a means of minimizing local contributions. Half the states distribute grants-in-aid on formulas based on local wealth as evidenced by assessed values. This system penalizes correct assessment and rewards under-assessment. The so-called equalization ratios used in some states are with few exceptions fictitious. In 37 states local taxes are levied on state-assessed intercounty utility property. The owners of such property are almost universally being over-taxed.

4. *Uniformity of Assessments.* The laws of most states prescribe that property be assessed uniformly (if sometimes by classes). No law is

more flagrantly broken. Governor Langlie said in his message to the 1953 and 1955 sessions of the Washington legislature: "Valuations are now a mockery of the uniformity provisions of our state constitution."

#### Ratio Varies

John Sly said in his New Jersey property tax study, which he significantly captioned *A Century of Inequities*: "Never has so much money been raised from so many people so inequitably as in the current administration of the local tax on real estate." Uniform treatment, he said, was undiscoverable except in isolated instances. The ratio of assessed to full value varied among the 21 New Jersey counties from 16 per cent to 56 per cent. A Pennsylvania study showed variations from 20 per cent to 78 per cent, a Washington study from 13 per cent to 38 per cent. Variations within counties are even greater than among counties.

Variations among individual pieces of property and omissions are due to incompetence of assessments, to insufficient staffing and to failure to use up-to-date technical aids. Assessors' offices are frequently given inadequate budgets.

Variations among classes are due to a deliberate if illegal policy. The New Jersey study found that commercial property was assessed at an average of 49 per cent, residential property at 29 per cent. In Washington residential property is assessed at an average of 19 per cent, commercial property at 27 per cent to 38 per cent. The reasons for these discrepancies are patent: there are more votes among owners of residen-

tial property than of commercial property.

What all this adds up to is a breakdown of local property tax administration. In no other tax could such conditions exist. They can exist in the property tax field only because taxpayers do not know how bad the situation is. Many governors have bitterly criticized the sorry condition of property tax assessments. With rare exceptions, legislatures have closed their eyes to the disgraceful situation or at best have taken half-hearted action.

#### Courts Hamper Action

Courts have a record of more often hampering rather than helping attempts to correct these injustices. They seem to have difficulty distinguishing between the appraisal of property, which is a technical process, and the power of taxation, which is a political process. There has been a reluctance to interfere because of a mistaken concept of "home rule." We may wonder whether there is an inherent right of local officials to break the constitution and laws of the state and inflict flagrant injustice under the cloak of home rule. State government has a duty to act if law enforcement breaks down within its borders, if some local units of government are prevented from exercising their legitimate duties by the failure of some officials to uphold the law.

The maladministration of the property tax has probably done more to weaken home rule than anything else. This condition if continued much longer will destroy home rule by ruining the financial integrity of local government. There is in the

long run no political independence without fiscal independence.

I have mentioned that there have been many attempts to improve property tax administration. All but 8 states have taken some action since the end of World War II to equalize property tax assessments. Ten states have enacted measures toward this end in the past year. In a majority of the states, the results have been modest or disappointing.

Why is it that the property tax is in such bad shape while other taxes seem to be fairly well administered? What distinguishes the property tax from all others?

The property tax in the United States originated long before the others; its organization and methods are hopelessly outdated. In no other tax field do we elect local administrative officials. But the great majority of property tax assessors are elective. It is quite likely that our income tax administration would be in no better shape if the employees of the Internal Revenue Service were locally elected without regard to technical qualifications.

The appraisal of property—just as the verification of income tax or sales tax returns—is a technical job which requires professional skill and knowledge. It is not supposed to be a policy-making job. The employees of the Internal Revenue Service or of the state tax department do not claim the discretion to apply the tax rates to 30 per cent or 50 per cent of a taxpayer's income or sales volume. But property tax assessors exercise such an authority.

The question is sometimes asked what difference it makes whether the

size of the tax levy is raised or lowered by manipulating assessments or by adjusting tax rates. The difference is that in the former case under legal millage limitations the policy decision is shifted from the legislative body—the city council, board of county commissioners, school board—which under the law has the power, to a single official who usurped it. Instead of the representative bodies which are responsible for the operation of their governmental units, it often is the tax assessor who decides how much they can spend.

#### Assessor Sets Rates

It has been said that the tax assessor has made himself the budget officer for all local governments. That is not quite correct. A budget officer administers a budget but does not set its size or the amount of the tax bill. That power belongs to legislative bodies. The property tax assessor is the only single public official in the United States who can in effect determine tax rates and set the amount of taxes which the residents of a jurisdiction must pay. He exercises that authority not by law but by arrogation. He has made himself in effect a one-man legislature. Often he makes vital decisions about the operations of cities, counties or school districts although he has no responsibility for their activities.

A long and disgraceful record has proven that local property tax administration except in rare circumstances will fail. Sporadic attempts at improvement by local initiative or under state stimulation have at best

been temporarily successful. If we want property tax assessments to cease to be a political football then we must put them on a scientific and objective basis. An increasing number of people are coming reluctantly to the conclusion that this will not be accomplished until the appraisal of property is divorced from local administration and made uniform by the same method by which intercounty utility property is appraised in most states: under uniform standards on a statewide basis. Home rule will be more effectively guaranteed by leaving the decision on tax rates in fact as well as in name to locally elected responsible bodies.

It is unlikely that local governments will be able to cope with the task that lies before them in the next decade without a restoration of the property tax. The need for added services and facilities is vast and urgent, present inequities are drastic and widespread. Minor corrections or palliative measures will not do the job.

Now, when federal taxes have been cut \$7.3 billion and may be eased further next year, is the time to make local governments more self-supporting. The only alternative is gradually to transfer more duties to higher levels and to keep local governments nominally alive by increased subsidies. That is what we have been doing for the past twenty years. A continuation of this trend will eventually mean the end of strong, self-propelled local government.

# Property Tax Updated

State of New York makes improvements in state equalization and lays plans for better assessing.

By ROSALIND G. BALDWIN\*

THE discussion, "Bulwark of Local Government—Shoring Up the Property Tax," conducted at the National Conference on Government in Seattle, was intended primarily for citizens concerned with strengthening local government and improving intergovernmental relations. But it had a special value of another kind—to reassure public officials and employees, who are working with the property tax in some particular state or locality, that they are not struggling alone with this intricate problem. Others all over the nation, with similar ideals, problems and weapons, are engaged in the same battle.

New York State's difficulties with the property tax seem to have developed in the same way as those of many other states. In some respects, New York has made real progress. In others, it still has a long way to go.

The state has taken two important steps in recent years to strengthen local government by improving the property tax. They are:

First, amendments to the provisions of the state constitution which restrict local borrowing and taxing powers,

\*Miss Baldwin is director of projects of the Governmental Affairs Foundation, Inc., and consultant to the New York State Board of Equalization and Assessment. This article is her talk before the National Conference on Government of the National Municipal League, Seattle, July 26, 1955.

Second, a complete revision of the equalization rates established by the state for local assessment rolls.

Tax and debt limitations in New York State determine the extent to which the localities affected can utilize property taxes to finance their needs. Where property taxes are not adequate, the localities must look to other sources for any further revenue or fail to handle adequately the functions assigned to them.

Inflation during and after World War II caused local government operating costs to climb. Also, localities were being called upon to restore services which had been cut during the war. But the limits on the amount of property taxes which New York's localities could levy remained practically static.

Many of our localities found themselves up to their property tax limits and in need of additional funds, despite substantial increases in state aid and some non-property taxing powers. To help solve this fiscal dilemma, the state comptroller in 1947 appointed a committee on constitutional tax and debt limitations.

As a result of its studies, this committee found that throughout the state local taxing and borrowing powers had been artificially curtailed by the practice of assessing at less than full value.

The tax and debt limits were

stated in the constitution in terms of percentages of the five-year average assessed valuation of the locality affected. The law required property to be assessed at full value, but actually assessments were far below that point—even if 1941, rather than current, prices were used as the full value measuring stick. In a community where assessments were at 50 per cent of full value, local taxing and borrowing powers were only half of what the constitution and statutes intended.

Under the New York State constitution assessment is a function reserved to local officials. The state, therefore, could not step in and increase local valuations even if it desired to do so.

The obvious course was to tell the localities that, if they wanted more money, they would have to raise assessments. This had at least two drawbacks. First, a few cities which had recently raised their assessments had ended up by paying larger shares of the county tax. County boards of supervisors, in levying county taxes, had failed to give full credit for the city's assessment increases. Second, a program for revising each of the 1,543 local assessment rolls would have required many years for accomplishment.

Another alternative was to raise the percentages in the limits. This, however, would have multiplied the inequities.

After reviewing the numerous difficulties, the committee devised a solution which would restore local taxing and borrowing powers to the levels originally intended without waiting for, or depending on, revi-

sion of local assessments. In fact, under the plan worked out by the committee, the localities can no longer influence their tax or debt limits by under- or over-assessing.

The committee proposed that the tax and debt limits of a local unit should be based on the full value of the taxable property in the locality and that full value should be determined by the use of a state-established equalization rate. Constitutional amendments implementing the committee's recommendations were passed by the legislature and approved by the people, becoming effective in 1950 (for the tax limit) and 1952 (for the debt limit).

#### Revise Equalization Rates

The key to the operation of the new tax and debt limits, of course, was the state equalization rates. Equalization rates for city, town and village assessment rolls had been established by the state annually beginning in 1912.

A quick check showed that the rates needed to be revised and brought up to date. The legislature of 1949 established the State Board of Equalization and Assessment as a temporary state commission to do the job. At the same time, the legislature also provided for continued use of the old unrevised rates in the state education aid formula until both the rates and the state aid formula could be revised. These actions were recommended by the state comptroller's committee which had initiated the constitutional amendments to the tax and debt limitations.

The equalization rate revision is now practically completed. Final re-

vised rates have been established for all except a handful of units—villages where fiscal years have been changed.

The State Board of Equalization and Assessment is presently developing a system for keeping the state equalization rates up to date, and for that purpose gathering data on 1954-55 values.

#### Improvements Stimulated

Many improvements—some direct and some indirect—have been produced or stimulated by the new tax and debt limit provisions and by the revision of state equalization rates:

1. The artificial curtailment of local taxing and borrowing powers, which had resulted from under-assessment, has been eliminated.

2. More local problems can be solved at the local level without appeal to the state capitol.

3. Citizens are showing greater interest in local budgets and expenditures.

4. Many localities now have a choice between increasing property taxes (still within the intended limits) or using non-property taxes. Previously numerous localities up to their tax limits were forced to use non-property taxes if they wanted to raise additional revenue.

5. Inequities among assessments on individual properties are receiving serious attention from public officials and citizens. New legislation has reduced the cost to property owners of securing decreases in assessments on their properties. Many localities have arranged for complete revaluation of all properties on their assessment rolls. Some counties are pay-

ing for complete reappraisals of all the towns and cities in the county.

6. Conscientious efforts are being made by the counties to bring about greater equity in the apportionment of county taxes among the towns and cities.

7. There is now available a reliable estimate of the full value of taxable property in every city, town, village and school district in the state. This information can be useful but not necessarily conclusive in determining local fiscal ability—a question of basic importance in the allocation of state aid and in other decisions affecting local government.

Other progress has been made but New York State and its localities still have a long way to go in improving the property tax. The equalization rate study showed wide variations in assessments, not only among the various types of property on a single assessment roll, but also among individual parcels of the same type of property in the same tax unit.

To make recommendations for improving assessments, New York State has created a special advisory committee. Most of the members of the new agency are representatives of the localities and assessing officials. Taxpayers and the state government also are represented. The committee plans to develop a comprehensive program for improving the structure and organization of the assessment function and for adequately equipping assessing officers for carrying out their important duties.

In any effort to improve the property tax, success depends on the citi-

(Continued on page 550)

# States Lagging Behind

In development of resources, federal government and private enterprise seen holding initiative.

By EDWARD A. ACKERMAN\*

IT IS now a commonplace that any nation, including our own, stands or falls on its resources and its technology. A nation cannot progress for long without both. We are also beginning to appreciate the fact that the prescription for the states is exactly the same as for the country as a whole. Resources and technology are the beginning of prosperity. They are, moreover, partners which cannot be divorced without bad effect on the fertility of the future.

What are the states doing about natural resources and the technology which stretches the life, and broadens the use, of natural resources?

Every state has some such activity. I need only mention agriculture and the land grant colleges to prove the truth of that comment. Many states have fish and game commissions, conservation departments, geological surveys, forestry staffs, utility regulatory commissions. Depending on local problems, some have water boards (or their equivalent), oil and gas departments or commissions, marine fishery offices, water pollution control staffs and units for still other

functions. A concern for resource management is widely exhibited among the states if we take the evidence offered in their administrative structure.

There is more to any function than a name, however. What sort of resource management activities do the numerous agencies carry on? How widely is their influence felt? How much do they contribute to physical and technical development? One measure of effectiveness could be the expenditures of the states for resource development and management. They are, to put it plainly, small. As nearly as we can estimate, the total expenditures of all 48 states in 1953 for natural resource development and management were \$476 million. During the same year the federal government spent almost six and one-half times as much, nearly \$3.1 billion. This comparison is not intended to suggest that the states' total outlay and that of the federal government necessarily should be equal. The comparison, however, does give a measure of the intensity of state activity.

Are expenditures a fair measure? Many a sound accomplishment has come from a modest budget. Perhaps there are other and better ways of examining the states' position in resource development and management. There come to mind the de-

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velopment of ideas and techniques, scientific research and education, the application of new ideas and organizational improvements through administration, and the physical change brought by construction and other effort.

When one examines the very many fundamental scientific and practically applied works which affect the use and productivity of resources, it is not easy to isolate the credit due to any contribution to the total effort. For instance, the scientific discoveries and the engineering applications which have come from nuclear physics have affected profoundly our future use of resources of all types.

#### State University Aid

Certainly some state universities had significant shares in the scientific effort which brought us applied nuclear physics and the prospect of heat, light and power from so common a material as granite. The states, through their universities, have contributed much toward the development of the extremely productive agriculture which characterizes millions of farms in the nation. The staff of one particular state university did a great deal toward getting the conservation movement under way in the United States. State universities have helped to train the generation of foresters who are slowly but surely remaking our woodlands.

On the whole, in the area of developing techniques and ideas, and in the fundamental sciences related to the growth of improving resource use, the states have been alert and have made important, lasting con-

tributions. They can be expected to continue to do so.

There is much more to good resource management than producing ideas, perfecting techniques and training specialists. The application of new techniques, the organization of the specialists who carry out the works, and the drive and means by which reservoirs, forest plantings, reclaimed farms, power lines are created—all these must be examined before we have a full measure of the effectiveness of the state as a resource development and management agency in our federal system. Here the record is different.

I hasten to mention on the credit side a number of good things with which many of us are familiar: the agricultural extension work of long standing; the interesting forestry programs developed by a number of states, south and north; park, recreation and fish and wildlife activities; and also water pollution control activities more recently. Here and there an isolated program, like small irrigation project development in one state, has emerged in still other fields.

But if we examine the history of these programs, most of them have received their first impetus from federal initiative in the field. Most, furthermore, have depended rather heavily on federal financing for critical support. If we take the states as a group, they certainly have helped to develop the ideas and the technology, but the application of the technology very often has depended upon federal government drive and initiative to get things moving.

It is in provision for construction

of the works needed to develop resources that the disparity between states and federal government is greatest. Relatively few physical works for resource improvement, outside the fields of recreation, parks, reforestation, fish and wildlife, have been undertaken by any state on its own. From the small check dams of the soil conservation district and stock water ponds to giant efforts like that on the Tennessee, the federal hand usually has meant the difference between development and no development. The size and familiarity of federal construction activities, particularly in the expensive and important one of water development, has produced a near paralysis of state initiative toward construction of needed physical works. There is a strange contradiction between the often asserted desire of most states for administrative responsibility and their general avoidance of any serious consideration of financing. This does not apply only to large and expensive projects. It is part of a pattern of thought on small projects as well.

As far as important physical improvements are concerned, the states as a group appear to prefer the dole to self-employment, even though the dole in a sense comes out of their own pockets. Each likes to gamble, like any other gambler, on getting more out of the federal pot than it puts in.

Thus, in general, the states have not developed a strong will to accomplish in the field of resource development. As a group, their actions show they prefer to leave the

arena to the initiative of other more assertive organizations, including both the federal government and private enterprise. Again, I want to make it clear that this is not said with any indication of a value judgment. The record shows that the states as a group have been passive where natural resource development undertakings of large scope have been concerned.

A number of reasons are given for this phenomenon. Constitutional limitations on indebtedness, preempting of both tax base and functions by the federal government, low salary scales for state officials, the interstate character of some resource problems, and more. All have their place in explaining the action or lack of action in states today. All, however, seem symptomatic rather than fundamental.

#### States Should Plan

In many instances the real cause is a lack of any clear objective as to what the state wishes to do with its resources. Wherever a state has had a clear view of its long-term objective, it has been able to do anything in resource development that it wanted. Thus Nebraska built a public power system; South Carolina has built large dams; New York, Oregon, Georgia and other states have vigorous forestry programs; Montana has an irrigation program; and so on. There is little that a state cannot do, if the people of the state know what they wish to do.

We might look on our present situation in this way: there are five types of agent for the development and management of natural resources

within the territory of any state: (1) the state government itself, (2) the federal government, (3) municipalities or other local public bodies, (4) large corporations with interstate interests or financial backing, and (5) locally based private enterprise, like most farms, forest ownerships, fishing operations or other small undertakings.

#### How Direct Activities

State resource activities can take several forms. They can be directed toward ever greater federal attention to resources within the state, that is, lobbying for federal funds. They can be directed toward similar attention by the large corporations—this is usually called economic development. The state can aid, or provide leadership in the right direction for, improved effort by local public bodies and by the small operator or owner. The state can regulate the activities of all the other agents, including in some instances the federal government. The state also can undertake development under its own management and financing. Finally it can throw its political influence in one direction or another where conflict arises within its borders between other agents of development, as between the federal government and large corporations. Within the last three years we have seen some Pacific northwest states in such a conflict effectively favor the corporations; at the same time some south-

eastern states have effectively favored the federal government.

It is my belief that a disproportionately large amount of effort on the part of states has been devoted to obtaining either federal government or corporate attention to the development of state resources. In only a few instances have there been well understood objectives which enabled full use of known capacities of the state in this field.

It is true that the states, to a degree, float on a tide of national activity. The influence of national policies and institutions, both federally and privately determined, cannot be, and should not be, avoided. Yet the states as a group have a large set of uncultivated openings which will yield results in proportion to the effort and vision applied. The states can do much to improve local resource management through exercise of police, taxing and educational powers. There are neglected comprehensive programs of intrastate concern only, like small watershed or local area development. There may be some possibility of developing cooperative regional institutions. And there are others. But these things require faith in the states' capacity to accomplish, an understanding of the future which comes only from careful planning, an inclination to view all outside proposals, public or private, from the point of view of public welfare, and a will to make use of existing powers.

# News in Review

City, State and Nation . . . . .

Edited by H. M. Olmsted

## New Mexico Adopts Four Amendments

### One Reapportions Lower House of Legislature

A REFERENDUM election was held in New Mexico on September 20 at which four proposed constitutional amendments were adopted and two were defeated. Those approved deal with legislative reapportionment, control of highway funds, control of certain penal and health institutions, and renaming of the latter. The defeated proposals related to absentee balloting and public utility regulation.

The apportionment amendment increases and redistributes the membership of the House of Representatives but leaves the present Senate setup of one senator from each county. The House membership is increased from 55 to 66 and each county is given at least one representative, whereas some districts now include more than one county. Thirteen counties gain in representation and seven lose.

Bernalillo County (containing the city of Albuquerque), the most populous county of the state, gains three seats, giving it nine; but this is less than 14 per cent of 66, whereas the 1950 population would entitle it to 21 per cent. San Juan County gains two seats, giving it three, which is 4.5 per cent of 66, whereas the 1950 population would entitle it only to 2.7 per cent. Eleven other counties gain from one-half to one and one-half seats. Harding County, with the smallest 1950 population (3,013), was formerly combined with Union County (7,372 population) in a two-member district. It will now have a representative of its own, equivalent to 1½ per cent of the total

House, although its population would entitle it to less than ½ per cent. Eleven other counties, each to have one representative, did not have as much population in 1950 as the figure (10,321) obtained by dividing the 1950 state population (681,187) by 66 seats; and three besides Harding County had less than half of that figure.

Of the counties losing in representation one, Mora (1950 population 8,720), has one less representative, while the others lose less than one each.

The amendment reduces some of the gross inequalities, but is still inequitable in relation to population.

Counties electing more than one representative are not to be subdivided geographically, but each position to be filled is assigned a number and a specified candidate of each party runs for a specific numbered position. This narrows the competition but limits the voter in selecting the best men running in the county.

The legislature may now reapportion the districts for representatives after each federal decennial census—retaining the requirement of at least one representative from each county. Formerly the legislature had no such power; it is now granted but there is no requirement that it be used.

Another new provision is included, that if a senator or representative moves from his district he is deemed to have resigned.

The amendment concerning highway funds allows the legislature to regulate the expenditure of highway funds; this power has heretofore been solely with the State Highway Commission. The highway budget can now be made subject to the same controls as other departmental budgets.

Two amendments concerning certain penal and health institutions give the legislature power to specify the methods

of control and management of the penitentiary at Santa Fe, the Miner's Hospital at Raton, the insane asylum at Las Vegas and the reform school at Springer. The constitution has heretofore provided that each institution be under a separate board of five members appointed by the governor for four-year terms. Both amendments are alike as to method of control, but one of them specifies that the insane asylum shall be called the New Mexico State Hospital and the reform school the New Mexico Boys' School.

The absentee voting proposal, which would have empowered the legislature to enact laws providing for absentee voting, was handicapped in that its adoption required a three-fourths statewide vote and also a two-thirds vote in each county. In six counties it failed to obtain even a simple majority and thus was defeated. The other amendments required only statewide majorities. New Mexico remains one of two states where the constitution does not permit absentee voting. It has a statute, however, which seeks to provide for absentee voting under a technicality that may be interpreted as not contrary to the constitution.

The other defeated amendment would have repealed the existing 5,000-word article concerning the elective Corporation Commission and substituted a 320-word article providing for a Corporation Commission to be elected or appointed as prescribed by the legislature. The present separate Public Service Commission would be abolished; the legislature would have power to define, regulate and control all public utilities but could delegate such power only to the Corporation Commission.

The proposed amendment was vigorously opposed by I. B. Pickett, a member of the Corporation Commission, who was supported by U.S. Senator Dennis Chavez. It was advocated by Governor John F. Simms and Senator Clinton P. Anderson. The controversy was regarded

by some as a test of strength between Mr. Pickett and the governor.

## 1955 Massachusetts Laws Set Record

The 159th session of the Massachusetts General Court adjourned at 4:58 A.M., September 16, after enacting the largest number of bills and the highest budget in history. A Republican governor, a Republican Senate with a majority of two and a Democratic House with a majority of fourteen supply some of the reasons for the delayed prorogation. But to the political wrangling must be added another fact, that failing to offer local governments home rule, the legislature must continue to dispose of hundreds of special bills. In quantitative terms, the session adds up to the enactment of 782 acts and 149 resolves. The governor apparently lost only seven of his 49 legislative "musts," and in the eight cases where he applied his veto pen, the legislature sustained him.

The session will be remembered also for the enactment of penal reforms and a program to eliminate juvenile delinquency; the expansion of the state's recreational program; speedy action for flood rehabilitation after the August floods; the revival of the crime commission; several election law changes; and sizable appropriations for recess study commissions. And it will not soon be forgotten that this session failed to extend state regulation of small loans, to pass a highway bond issue or to provide a district court reorganization plan.

There is general agreement that the most significant piece of legislation is the reorganization of the commonwealth's penal system along the lines of the Wessell committee's recommendations (the committee appointed by the governor to investigate prison reform following the Charlestown state prison uprising in January). A more highly qualified com-

missioner of correction, a training program for correction officers and guards, a new classification system, more liberal time off for good behavior and three new prisoner reforestation camps are notable features of the new law. In addition to this, the governor was successful at almost the last moment in securing legislative approval for a \$100,000 appropriation to revive the special commission to investigate crime.

To catalyze local governments into taking action for the prevention of juvenile delinquency, the legislature passed a bill providing that the state will finance in whole or in part the employment of school adjustment counselors to work with school children having delinquent tendencies. Other legislation to curb delinquency reorganizes and broadens the powers of the Division of Youth Service, creates a recess study commission on comic books and juvenile delinquency, and revives the special commission investigating the prevention of child delinquency.

In spite of the record high \$324,481,126 budget and supplementary appropriation, taxes for Massachusetts residents remain without change for at least another year. However, the legislature hopes to pick up as much as \$5 million by a new act placing a tax on income earned in the commonwealth by nonresidents (U.S. Army, Navy and Air Force personnel stationed in Massachusetts are excepted.) A 3 per cent sales tax was decisively beaten although it came to the legislature as the recommendation of the Fiscal Survey Commission.

Salary increases this session went to judges, the clerical staff of the courts, to statewide elective officers and heads of state departments. The governor vetoed a \$360 across-the-board increase for state employees, giving as his reason that no provision had been made for new taxes to supply the estimated \$11 million necessary. However, a bill was en-

acted to provide for group health and life insurance for state employees with the state and its employees sharing the cost on a 50-50 basis. The law covers statewide officials, department heads and legislators as well. This session also saw the restoration of a pension plan for state legislators.

Labor won an increase in the statutory minimum wage from 75 cents an hour to 90 cents (wage boards are permitted to set wages as low as 75 cents in certain industries) and a boost from \$30 to \$35 as the maximum weekly benefit under the workmen's compensation law for disabling injuries. "Right to work" proposals went down to defeat before bipartisan opposition.

Several changes were made in election legislation. Massachusetts was one of the states which required that names of candidates for president and vice president be certified by the last week of July for inclusion on the November ballot. Legislation passed in the recent session will permit such certification as late as the first week of September so that national party conventions can be held as late as the end of August.

Another measure extends absentee voting rights to the 4,000 or 5,000 Massachusetts civilians in federal employ who are outside the United States. Other changes affect candidates: an incumbent for state or city office will henceforth be labeled "candidate for reelection" on official ballots—a designation hitherto allowed incumbents in town elections or, if the surnames of rivals were the same as incumbents, in state and city elections. To make it more difficult for last minute "plants" to be entered in congressional elections, the number of signatures required for candidates for the House of Representatives to qualify on the ballot was changed from 250 to 500.

All attacks against council-manager Plan D and Plan E charters were warded off, whether in the form of bills to repeal

the laws permitting cities to adopt these forms or simply to bar proportional representation elections of councilors and school committeemen in Plan E city manager communities having P.R.

Legislation was enacted to permit groups of cities and towns to form regional or metropolitan planning districts and to seek federal funds for planning. Other legislation authorizes cities to undertake urban renewal projects.

The General Court passed but the governor pocket vetoed a measure to replace Boston's nine-member council elected at large with an eleven-member body comprised of councilors selected under a borough system—each councilor to be elected from two city wards. The bill was designed and supported by those seeking more representation for minority groups in Boston, and it had the backing of the Republican leadership in the city. In vetoing the bill, the governor expressed the opinion that such provisions should become effective only upon a petition signed by 10 per cent of the city's registered voters and a referendum.

Although rejected earlier in the session, provision was made in the supplementary appropriation passed the last day for the long sought municipal research bureau at the University of Massachusetts. The \$18,800 appropriated for the current fiscal year will provide a director, an assistant, a statistician and clerical aid.

There was also passed the bill of the Massachusetts Taxpayers Federation to allow cities and towns to call upon the state tax commission for the installation of an assessment system which will produce uniform valuations.

The legislature set up an unpaid special recess Commission to Investigate State and Local Relationships in Government. Membership on the commission is fixed to give representation to members of both houses of the General Court; associations of the mayors, city and town managers, selectmen, county officials and school

committees; the Massachusetts AFL; and the public. Within the purview of the commission will fall such subjects as home rule, the recommendations of the Governors' Conference, state building requirements for local structures financed in part by state grants and the like. The commission is directed to report in January 1956. Its expenses must not exceed a \$2,500 appropriation.

In allocating \$334,800 for recess studies the legislature exceeded last year's total by \$50,600. Of this amount \$71,500 goes to the Legislative Research Bureau for the study of some thirteen subjects assigned to it by the legislature, and the remainder goes to the special commissions.

All attempts to amend the constitution remain incomplete as far as legislative action is concerned. The 1954 approved amendment to lengthen the term of the governor and other statewide constitutional officers from two to four years received a second approval in the joint meeting of the two houses called during the 1955 session, but a motion to reconsider was then voted leaving the question unresolved. The Democrats prefer that gubernatorial elections coincide with presidential, and hence that the first election for four-year terms take place in 1960. The proposal will again be laid before the 1956 General Court.

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#### ***Local Constitutional Amendments in Georgia***

During the past two years Georgia has experimented with a new method of advertising and ratifying amendments to the state constitution that are essentially local in character; and certain changes to meet difficulties encountered are under consideration.

Georgia's constitution of 1945, like that of a majority of the states, provided that amendments may be proposed by a two-

thirds vote of each house of the legislature, advertised throughout the state, and ratified by a majority vote of the people voting on the amendment.

If, however, a proposed amendment affected only one or more political subdivisions, it had to be advertised in the area directly affected and ratified by "both a majority of the electors qualified to vote voting thereon in the state as a whole, and also a majority of the electors qualified to vote voting thereon in the particular subdivision or subdivisions affected."

The wisdom of this latter provision has been amply demonstrated in practice. Since 1945 some 52 amendments directly affecting particular cities, counties or school districts, approved by a majority vote throughout the state, have been defeated by an adverse vote of the electors in the area affected. Once an amendment of local application has been approved by the legislature and placed on the ballot, experience shows that it is certain to be approved by the voters of the state as a whole who know little or nothing about it.

#### Submitted Locally

In an effort to shorten the ballot and save expense, the General Assembly in 1951 proposed an amendment providing that "proposed amendments to the constitution which only affect or apply to one or more counties or one or more municipalities shall only be submitted to the voters of the county or counties or to the voters of the municipality or municipalities which the amendment affects or applies."

This amendment, which was ratified in the general election of November 1952, further provides that such local amendments "shall only be published in one newspaper in the county or counties affected, or of the county or counties in which the municipality affected is located," instead of in one or more newspapers in each congressional district in

the state, as general amendments are advertised.

Failure to state in the constitution any criteria to distinguish between "local" and "general" amendments led to great confusion in the trial run of the new amending process. Forty-seven amendments were proposed by the General Assembly in 1953 to be voted on by the people in 1954. On September 22 the secretary of state sent out a ballot form listing all 47 proposed amendments to the ordinaries (election officers) of the 159 counties. He instructed them to include on the ballot the first seven amendments, which he described as "of a general nature," and "any of the other amendments . . . if any apply to your county." A week later, however, he sent out an opinion from the attorney general holding that eight other amendments should also be placed on the ballots throughout the state. One of these proposed that all of Tift County shall compose one school district.

The basis of this opinion was that the amendment of 1952 mentioned counties and municipalities only, and did not apply to school districts. Moreover, according to the attorney general, the language in the 1952 amendment regarding publication and voting is used in the disjunctive, and cannot apply in a situation where a county *and* a municipality are affected, although it could apply where two counties or two municipalities are affected. Partly as a result of this ruling, total cost to the state of advertising constitutional amendments in 1954 was \$74,070.25.

The additional instructions aroused confusion in the minds of the county ordinaries. Some of them printed all 47 proposed amendments on the ballot. There were scattered votes on varying amendments from county to county. It is difficult to prepare a list of the amendments that passed. The governor's proclamation of November 22, 1954, listing amendments passed has already been amended twice by subsequent proclamations.

The trial run demonstrated clearly that the new model does not work smoothly. The experience points to the wisdom of the provision in the constitution of New York that constitutional amendments proposed in the legislature "shall be referred to the attorney general whose duty it shall be within twenty days thereafter to render an opinion in writing to the Senate and Assembly as to the effect of such amendment or amendments upon other provisions of the constitution."

A Committee on Economy, authorized by the General Assembly of Georgia at a special tax-raising session in 1955, is currently considering a revision in the wording of the 1952 amendment with a view to overcoming the difficulties springing from the attorney general's use of the rule *strictissimi juris* in a field where it has traditionally had no application.

The problem of constitutional amendments of local application is not peculiar to Georgia. As of January 1, 1953, Louisiana's constitution of 1921 had been amended 302 times; California's constitution of 1879 had been amended 272 times; South Carolina's constitution of 1895 had been amended 215 times; New York's constitution of 1894, 110 times; Texas' constitution of 1876, 110 times; and New Hampshire's constitution of 1783, 105 times.<sup>1</sup> A large percentage of the amendments in these as well as other states were local amendments.

The solution to the problem suggested by the 1952 amendment in Georgia does not square with ideals of constitutional government. A constitution should be confined to basic law. To clutter it up with numerous amendments limited in application to particular localities tends to destroy its value. If a constitution contains a provision too restrictive in character and out of favor with the people, then, rather than adopt dozens of "local amendments" making exceptions to this ham-

pering general rule, the general rule itself should be changed. But experience shows that ideal action by state legislatures is not to be expected. If numerous local amendments are to be continued in the future as they have in the past, the method of adopting them with which Georgia is now experimenting has the merits of simplicity and economy.

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### **Three Governors for Metropolitan Planning**

Governors Averell Harriman of New York, Robert B. Meyner of New Jersey and Abraham A. Ribicoff of Connecticut agreed at a meeting on October 6 that over-all planning as to metropolitan problems of the tri-state area centering on New York City is necessary, but differed as to methods. The occasion was the tenth annual regional conference, in New York City, of the Regional Plan Association.

Governor Harriman asserted that planning in the area, which comprises 22 counties in the three states, should no longer be improvised, but that the whole question of governmental relations therein should be studied by a non-political group under the sponsorship of the three states, as suggested by the association. He did not agree with the idea of some planning experts that a combined or supergovernment should be created for the metropolitan area.

Governor Meyner said that planning for the area should be done, so far as possible, by existing agencies; that planning should not be too visionary; and that immediately available plans should be taken advantage of. He pointed out that New Jersey has more problems in common with New York, Pennsylvania and Delaware than with Connecticut.

Governor Ribicoff called for establishment of a high-level tri-state planning group. This could be similar in some

<sup>1</sup> Albert L. Sturm, *Methods of State Constitutional Reform* (Ann Arbor, 1954), pages 10-11.

degree to the New England Governors' Conference which meets periodically to discuss problems affecting the New England states.

The conference was attended by 775 persons interested professionally or otherwise in regional planning, including problems of transit, traffic, water supply, sewage, etc. They were from some 550 communities in the metropolitan area.

### **Limitations to Illinois Legislative Redistricting**

In reporting the recent legislative redistricting in Illinois in the September REVIEW (page 425), it was indicated that the number of representatives from Cook County, including Chicago, might change after the next census; but that number is permanently set at 90 out of 177 from the state as a whole (three from each of 59 districts). District boundaries may be changed, but not the relative totals. The 1955 redistricting is the first since 1901.

### **Preparations for Alaska Constitutional Convention**

In preparation for the Alaska constitutional convention,<sup>1</sup> which meets on November 8 at the University of Alaska, the Alaska Constitutional Research Committee, a citizen group, has drafted a suggested constitution which has been published in full by the Anchorage *Daily News*, together with explanatory notes giving the basis for the committee's recommendations.

The Alaska Statehood Committee, which was granted an appropriation of \$75,000 by the last territorial legislature for constitutional research, has engaged Public Administration Service to undertake preparatory research work. That organization is also compiling a procedural manual for the use of the delegates, who were elected on September 13.

The convention is to prepare a consti-

<sup>1</sup> See the REVIEW, February 1955, page 92, and September 1955, page 423.

tution in anticipation of a grant of statehood to Alaska by Congress.

### **Council-Manager Plan Developments**

LORI, NEW JERSEY, (1950 population 15,392) voted 2,537 to 2,236 on September 17 to adopt the council-manager plan under a state optional law of 1923. The plan took effect after the election of a new council on October 25.

GARDINER, MAINE, (6,649) voted 590 to 208 on September 12 to adopt the council-manager plan. It becomes effective on January 2, 1956. LITCHFIELD, MAINE, (953) has adopted the council-manager plan.

ARVADA (2,359), a suburb of Denver, Colorado, voted 281 to 191 on September 27 to adopt the council-manager plan under state optional law. It goes into effect on November 2, 1955. The election had been proposed by a petition signed by some 173 persons, including four of the six city councilmen.

The town of DAVIS, OKLAHOMA, (1,928) voted 293 to 30 on September 13 to become a city under the statutory council-manager plan of government. The plan has gone into effect with the state governor appointing five councilmen to serve until the first regular city election.

A group has been formed in KEENE, NEW HAMPSHIRE, to promote the manager plan.

Voters in NORWICH, CONNECTICUT, on September 20 rejected, 4,379 to 1,967, an attempt by the two local political parties to restore party labels in city elections. The vote is regarded as an endorsement of the existing nonpartisan council-manager plan.

In LOCKPORT, NEW YORK, which nearly became the first council-manager city some 40 years ago, Dr. Frank J. Moyer, Jr., a strong advocate of the plan, has been nominated for mayor in the Republican primary. As this is virtually tantamount to election in Lockport, rapid

progress toward adoption of the manager plan appears likely.

In NEW JERSEY five municipalities on November 8 will have referendum votes on adoption of council-manager plans under the 1950 (Faulkner) optional municipal charter law. The townships of LIVINGSTON, EWING and PEQUANNOCK, in Essex, Mercer and Morris Counties, respectively, will vote on council-manager Plan E, as recommended by charter commissions; the town of NEWTON, in Sussex County, will vote on Plan B, recommended by its charter commission; and the borough of MAYWOOD, in Bergen County, will vote on Plan B as sought by petition. In three additional townships—EDISON, HAMILTON and ROCKAWAY, in Middlesex, Mercer and Morris Counties, respectively—the question of the election of a charter commission will be decided.

WAUCHULA, FLORIDA, rejected a proposed council-manager charter on September 13 by a vote of 503 to 385.

A petition calling for a vote on the question of adopting the council-manager plan in GENOA, OHIO, has been approved by the Ottawa County Board of Elections for inclusion on the November 8 ballot, subject to approval by the secretary of state, which is expected.

Petitions have been circulated in HAZEL PARK, MICHIGAN, by supporters of the mayor, calling for an election on the question of abandoning the council-manager plan. The mayor had called for the resignation of the manager, but lacked a majority support in the city council. The manager refused, pointing out that he serves at the pleasure of the council.

In WAUKEGAN, ILLINOIS, the question of adopting the council-manager plan is a strong controversial issue. Mayor R. E. Coulson has announced his support of the plan and has offered to step aside and allow it to be tried.

MARSHALL, MISSOURI, voted 1,484 to 1,331 on October 4 against a proposal to return to the council-manager plan.

FAIRFIELD, IOWA, will vote at the No-

vember 8 election on the question of changing from the mayor-council to the council-manager plan. The city council scheduled the referendum after receiving a petition of 432 names asking for one.

GRAND FORKS, NORTH DAKOTA, voted on September 27 to retain the council-manager plan. (For details see note below.)

BOWIE, TEXAS, voted 195 to 133 on September 17 in favor of a commission to draft a home rule charter, which is expected to contain the council-manager plan of government.

IN TACOMA, WASHINGTON, a board of freeholders has drafted a mayor-council charter, to be voted on at a date to be set by the council; if adopted it will supersede the existing council-manager charter.

IN BANNING, CALIFORNIA, the Kiwanis Club has unanimously endorsed the council-manager idea. The action is endorsed by the Banning *Record*.

The International City Managers' Association announces that 40 per cent (up from 21 per cent in 1930) of all United States cities of more than 30,000 population now have the council-manager plan, 41 per cent the mayor-council plan, and 19 per cent the commission plan; that the 1,322 council-manager cities have operated under this plan a total of 19,787 years; that 357 city managers, or 30 per cent of the managers in office, have served two or more cities, and that 73 of these managers have managed four or more cities.

#### ***Grand Forks, North Dakota, Retains Manager Plan***

On September 27, 1955, at a special election called for the purpose, Grand Forks, North Dakota, voted to retain the council-manager form of government and against its replacement by the commission plan. Grand Forks had adopted the commission plan in 1920, abandoning it for the mayor-council form in 1938. At that time the manager plan was also

voted upon but decisively defeated. Another attempt at its adoption the following year was again defeated, despite a small majority approval of votes cast, because North Dakota law requires a four-sevenths approval. The manager plan was adopted on November 6, 1946. There have been two managers, a change occurring in 1954.

Petitions were filed in June 1955, requesting an election for the commission plan, with 2,044 signatures. Another petition, to retain the council-manager plan, was filed, with 2,106 signatures. Little activity ensued until immediately prior to the election, when a rather bitter attack was suddenly made on the personalities of the city government as well as on the manager system. Primary basis of most of the attacks seemingly indicated personal conflicts with city administrative regulation or city policy determination. This indication was to some extent borne out by election results, wherein a number of voters voted against both plans, presumably at times under the impression that they were voting to discharge the persons responsible for operation of the manager plan but retain the system. The

vote was relatively light. Because no registration is required, the potential vote is not determinable. Out of possibly 16,000-18,000 such votes 4,641 were cast. Final tabulations show a close correlation of figures with the number of petitioners. The vote on retention of the council-manager plan was 2,324 for to 2,197 against; that on adoption of the commission plan, 2,107 for, 2,348 against.

WALTER E. KALOUPEK

University of North Dakota

### **Party Primaries for Washington, D. C.**

After an unsuccessful attempt in 1954, a bill providing party primary elections in the District of Columbia for members of the national party committees, for delegates and alternates to the presidential conventions and members and officials of local party committees was passed by both houses of Congress and was approved by President Eisenhower on August 12. The 1954 proposal was approved by Congress but was vetoed by the president because of certain provisions concerning the Hatch Act.

A chief purpose of the law is to give residents of the district the opportunity to participate in the selection of presidential candidates, although they are not permitted to vote in the final election. Despite its narrow scope the bill provides for election machinery which appears likely to stimulate demand for more participation. The situation is exceptional in that it involves the creation of a full set of election facilities where none has existed for more than 80 years, and this in less than nine months. The first primary election will be held on May 1, 1956, leaving a relatively short time to establish the board of elections, divide the district into precincts, arrange for polling places, get the voters registered and the candidates nominated. The law provides for permanent registration.



"Honestly, I'd Rather Walk"

*Herblock, in the Washington Post*

(Continued on page 540)

**County and Township***Edited by Victor Jones  
and William N. Cassella, Jr.*

## Kestnbaum Report Cites County Role

### Municipal Functions Are Being Assigned to Them

**EDITOR'S NOTE.**—The following quotation from the *Report of the Commission on Intergovernmental Relations* (Washington, D. C., 1955, pages 53-54) emphasizes the changing role of counties as instrumentalities of modern government.

THE intermediate position of the county between the state and municipal governments in some areas, and its position as the primary area of local government or administration in others, have steadily enlarged its importance in intergovernmental relations. It continues to serve in its traditional role as an agent of the state for law enforcement, judicial administration, the conduct of elections and other important functions. At the same time, county governments have gradually been acquiring functions and powers of a municipal character, some of them transferred from municipalities with inadequate area and resources. The result is that in most states the responsibilities of local government are increasingly being divided between municipalities and counties. This movement has been accelerated in recent years by the fact that the national government has found the county more convenient than the municipality as a base for a number of grant-aided programs.

The county seat is commonly the headquarters for officials administering certain federal programs, and the county government is often the only available local unit with which the national government may cooperate. In three fields where federal grants in aid directly

affect large numbers of people—welfare, health and agriculture—the county is involved in varying degrees. Welfare is administered at the county level, sometimes by the state and sometimes by a county welfare board that is a substantially independent agency. In public health, it is the national policy to encourage local administration by county or intercounty health units. The national agricultural programs, except for soil conservation technical assistance, are based on the county, either as an administrative area or as a unit of government, and as a matter of fact about 80 per cent of the soil conservation districts are coextensive with the county. Counties, of course, participate in the highway program and are sometimes involved in other national programs.

The Commission's Advisory Committee on Local Government had these situations in mind when it recommended that "the national and state governments should seek more effective coordination of such of their programs as are conducted at the county level by encouraging county governments to set up an office responsible to the elective head or chief executive officer of each county." The committee observed that "as counties assume more and more responsibility for carrying out programs for the state government, or for the national-state governments, the need for improved county government becomes more urgent."

The states could advance the cause of local self-government by giving all counties the opportunity to obtain modern charters, to use modern methods of administration, and to exercise more home rule powers. The strengthening of rural counties especially would take some of the load off state administration and simplify the task of administering national programs based upon the counties.

### **County Conference Discusses Kestnbaum Report**

Discussions of the *Report of the Commission on Intergovernmental Relations* were among the highlights of the nineteenth annual conference of the National Association of County Officials which met in Richmond in July. The recommendations of the commission on the subject of payments in lieu of taxes were given particular attention by the NACO meeting. By a formal resolution the conference noted its agreement with the commission's conclusions on in-lieu payments (with four specific exceptions) and urged that a campaign be initiated to secure early congressional action on this matter.

### **Emergence of the Service County**

EDITOR'S NOTE.—The article below is made up of excerpts from "The Emergence of a New Governmental Form . . . The Service County," by LOUIS H. COOK, director of planning, DeKalb County, Georgia, appearing in the *Georgia Local Government Journal*, September 1955.

IT IS widely recognized among planners that one of the most significant changes in society during the postwar years has been the so-called urban sprawl or spill-over. A highly mobilized population seeking the advantages of suburban living has brought forth communities of low density and almost total dependency upon a network of streets and highways for relatively free movement. As a result of the large and rapid population increases around metropolitan centers, caused by immigration, farm to city movements and other, and the general increase in birth rate, the land areas available within municipally controlled limits have not been adequate to supply the demand, and counties adjoining the municipal limits have been called upon to assume a role in

government for which their operating structure was not designed.

Counties have been, historically, subdivisions of the state designed to provide a segment of the statewide services to their inhabitants; thus, the powers customarily granted are limited to those necessary to fulfill this mission. Local services of municipal character were organized on a minimum basis to accommodate a loosely-knit rural society. The four major trends of change have rendered the old pattern obsolete. The concentration of large populations in metropolitan areas, the easing of transportation problems, the higher standards of living and the resulting dispersal of populations over wide areas brought with them an insistent demand for more and better governmental services, most of which were previously relegated to the municipal forms of government.

The impact of urbanization came suddenly and with little warning. County governments generally were unaware of the tremendous forces and the basic changes underlying the movement and, consequently, were ill-prepared to assume the responsibilities of a de facto municipality.

One of the greatest disadvantages in attempting to adjust to a new position in government was, and continues to be, lack of coordination and unity in legislative matters. The 1945 constitution of Georgia is still sharply restrictive as to county powers. Except as to planning and zoning laws, it extends little, if any, authority to counties to exact regulatory ordinances. The purposes for which the counties may be authorized to levy taxes are named in specific terms. The authority to provide for services is generally restricted to limited areas and confines the services to systems of waterworks, sewerage, sanitation and fire protection. Some exceptions exist granting additional authority to local areas through legislation of local application. The efforts to extend service functions to the fringe de-

velopments around cities has been by piecemeal additions, some general and some local in their application. The unity and cohesiveness of a city charter is not characteristic of county powers and is a strong deterrent to orderly and well planned growth.

#### Planning Process

The guiding hand of orderly growth, the planning process, has been accorded recognition as a county matter, and with great wisdom most of the enabling legislation requires the adoption of a comprehensive plan as a precedent to the enactment of a zoning ordinance and subdivision regulations. However, failure to define the elements comprising a comprehensive plan and general emphasis on zoning has subjugated the "planning process" to a relatively minor position in many areas. Furthermore, failure to provide counties with adequate authority to regulate traffic, parking, inspection of buildings and other generally accepted functions of a municipal operation has, in addition to denying the populace the benefits accruing from such regulations, complicated the effectuation of planning programs because of the difficulty of enforcement.

Fundamental to the dispersion of population over wide areas has been continuance of the growth pattern, addition by subdivision. Unlike the typical development ordinarily found within compact and well defined municipal limits, county urbanization has followed utility and transportation lines in a detached, more or less uncontrolled growth. Even though an abundance of vacant land and a strong desire on the part of the people for suburban living resulted in larger lot sizes and low-density population, the rate of expansion has had a terrific impact on capital expenditure programs and operating budgets. County governmental personnel has by necessity expanded, but generally at a much slower pace than the demand for services. An aggressive pro-

gram to obtain additional bonds and revenue certificates to expand and improve utilities, schools and roads is the rule rather than the exception. Low density development has required stricter control on revenue-producing utilities because the per unit cost of installation, maintenance and operation is higher. The sanitary sewer systems, because of high installation costs of the lines and plants, have not grown with development and many developers are relying on septic tanks. The attraction of new houses to young people has resulted in an ever increasing school load with overcrowding, typical in spite of the large building programs.

Thus, we behold a new governmental form, the service county, a hybrid creature of the people, half city, half county.

LOUIS H. COOK

#### N. C. Authorizes Medical Examiners

The 1955 legislature of North Carolina has passed a bill authorizing county commissioners to appoint medical examiners to supplement the work of coroners. "The bill sets up a medical examiner system under the State Board of Health," reports *Popular Government*. "A seven-member Committee on Postmortem Examination is created within the board to administer the system, on which law enforcement is represented by the attorney general and the director of the State Bureau of Investigation. By the establishment of central facilities for toxicological studies and a regional system of autopsy service by trained pathologists, the backers of the legislation hope to improve determination of unexplained deaths in those counties which elect to come under the system. A formal resolution by the county board of commissioners is necessary to make the act apply to any given county. Upon the passage of such a resolution, a medical examiner—who

(Continued on page 535)

**Taxation and Finance***Edited by Wade S. Smith*

## Fiscal Relations Under Study

### New York-City-State Project Head Chosen

A JOINT city-state commission, authorized by the 1955 New York State legislature to study New York City-State fiscal relations, has named John B. Blanford, Jr., as director of its research staff. The target date for completion of the surveys is March 31, 1956.

In a statement announcing the setting up of its research arm, the ten-member commission, officially named the New York State-New York City Fiscal Relations Committee, said that its immediate objective was to obtain a "quick inventory" of the city's tax and debt problems, state aid, allocation of tax sources, shared revenues, etc. In this it should be substantially aided by the comprehensive studies of the city's revenue and debt structures made in the so-called Gulick survey, completed in 1952,<sup>1</sup> and the comprehensive study of federal-state-local relations in New York State made by the Bird commission, completed early this year.<sup>2</sup>

"In general," the statement said, "the committee hopes to focus on large problems and seek solutions which may make a substantial and enduring contribution to the betterment of fiscal relations. The perspective is not that of the state or that of the city—but both. The committee is

assuming that the state and the city have many common fiscal problems and large mutual interest in their solution."

The chairman of the committee is Benjamin J. Buttenwieser, an investment banker. He was an appointee of the city's Mayor Wagner, as were four other members: former City Comptroller Lazarus Joseph; the Very Reverend Laurence J. McGinley, president of Fordham University; Mrs. Ralph B. Morris, former president of the League of Women Voters of New York City; and Charles F. Noyes, a realtor. Appointed by Governor Harriman were: Dr. Finla G. Crawford, vice chancellor of Syracuse University; Stanley Kreutzer, a New York attorney; Professor Edward A. Lutz of Cornell University; Edward A. Neider, former controller and budget director of the city of Buffalo; and Thomas W. Rourke, a Troy banker.

Mr. Blanford, research director, was formerly administrator of the National Housing Agency, was at one time general manager of the Tennessee Valley Authority, and was assistant director of the U. S. Bureau of the Budget. More recently he has served as a member of economic and governmental missions under federal and United Nations auspices. He has also served as director of research for civic groups in the governmental research fields in Cincinnati and Newark.

### State Fiscal Survey Commission Created in South Carolina

Facing a deficit in state finances, the 1955 General Assembly created a commission to study the tax and economic outlook of the state for the next five years. The commission must submit a report to the 1956 General Assembly and must operate on a \$7,500 budget. There are nine commission members, three ap-

<sup>1</sup> *The Financial Problem of the City of New York: A Report to the Mayor's Committee on Management Survey*. New York, N. Y., June 1952.

<sup>2</sup> *A Program for Continued Progress in Fiscal Management*. Report of the Temporary Commission on the Fiscal Affairs of State Government. New York, N. Y., February 1955.

pointed by the governor, three from the House and three from the Senate.

The commission has divided itself into three broad study groups: efficiency and economy in state government, fiscal affairs and taxation.

In addition the commission has created eight task forces to make special studies and to report their findings to the full commission by late fall. The task force members are made up of representative citizens and each consists of from six to eight members.

The task forces and their duties follow:

1. To study the operations and policies of state institutions of higher learning, including State Medical College, and prospective financial needs and requirements for the next five years for operations and for capital needs.

2. To study the operations and policies of the public school system of South Carolina, including prospective financial needs and requirements for the next five years for operations and for capital needs.

3. To study the operations of the state highway department including prospective financial needs and requirements for the next five years.

4. To make a study of the operations and policies of state penal institutions, including prospective financial needs and requirements, for the next five years of operations and for capital needs.

5. To study the operations and policies of state welfare, health and other social institutions and services, including prospective financial needs and requirements,

for the next five years for operations and for capital needs. These institutions include the State Hospital, Whitten Village, John de la Howe School, Pineland Training School, South Carolina School for the Deaf and the Blind, South Carolina Sanatorium and the Confederate Home. Services include functions of the State Department of Health, Children's Bureau, Employment Security Commission, Industrial Commission and Department of Labor.

6. To make estimates of tax revenues to the state for the next five years based on present laws. It is not expected that the task force will undertake to make predictions as to probable changes in economic conditions for the next five years. Rather, it is expected that projections will be made on two or three different assumptions.

7. To make a study of federal-state relations and joint operations and services, with particular consideration given to the financial support of joint programs by the state and with a five-year projection of probable financial requirements to be met by the state.

8. To make a study of state-local relations with particular consideration given to the financial support of local governmental units by the state and a projection of probable demands on the state for such support for the next five years.

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**Proportional Representation . . .** . . . Edited by George H. Hallett, Jr.  
(This department is successor to the Proportional Representation Review) and Wm. Redin Woodward

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## Alberta Elects by Hare System

### P. R. Used for Legislators from Edmonton, Calgary

THE Social Credit party continued its predominance in the general elections of the Canadian province of Alberta on June 29. This year there was less contrast between the results in Calgary and Edmonton, where a total of thirteen legislators are elected by P.R., and in the rest of the province, where 49 are elected by majority preferential voting in single-member districts. But the results in the single-member districts still fell considerably short of a true reflection of the wishes of the voters.

Social Credit candidates took three of the six places in Calgary and three of the seven in Edmonton, with somewhat less than half the popular first-choice vote in each case. With an aggregate popular vote of about the same proportion in the 49 single-member districts, 32 Social Credit candidates were victorious. On a province-wide basis the Social Credit poll was 46.4 per cent of the 378,179 votes cast. In previous elections Social Credit candidates had won in all but a very few of the single-member districts.

The opposition to Social Credit was more splintered in the countryside than in the P.R. cities. The Liberal party obtained two places in Calgary and three in Edmonton and the Conservatives took one place in each city. In these P.R. elections, however, two other parties and several independents were defeated.

In the 49 single-member districts the Liberals succeeded in ten contests, the Cooperative Commonwealth Federation

in two, and five contests were won respectively by a Liberal-Conservative, a Conservative, a "Coalition" candidate, an Independent Social Credit candidate, and an independent candidate.

To assure a majority choice in these single-member district elections the single-transferable vote method of preferential voting was used. In fifteen districts the transferable feature had to be used to find a majority choice. In four of these fifteen instances the person elected was not the one who led the poll on first choices.

The P.R. elections were featured by the transfer of surplus votes as well as transfer of votes cast for defeated candidates. In Edmonton the leaders of both the Social Credit and Liberal tickets received votes far in excess of the 9,569 quota—the former received 23,216 and the latter 18,755.

In Calgary, however, no Social Credit or Liberal candidate received as much as a quota on the first count, but one of the four Conservative candidates, the only one of them elected, received a good many more than the quota. Another Conservative stood fourth on first choices, but failed to place among the six elected. The Liberal vote in Calgary was scattered among six candidates for first choice, two of whom were elected. There were seven Social Credit candidates, of whom three were elected. These results illustrate the fact that the relative success of different political groups under the best form of P.R. is not determined by the concentration or scattering of their votes among particular candidates but by the total numbers of their supporters.

In Edmonton there were 30 candidates for seven seats. The P.R. elections, therefore, not only determined the relative strength of the parties but also effected

a considerable amount of selection among the various candidates put forth by each party.

### **P. R. Election Held in Bremen, Germany**

Although it polled but 47.8 per cent of the vote, the Socialist party was by far the largest of the several parties in the election in the West German state of Bremen on October 10 and this showing was sufficient to gain 52 of the 100 places in the state legislature under the West German method of approximating proportional representation of parties.<sup>1</sup> In the outgoing legislature the Socialists held exactly half the memberships.

The next largest parties made some gains at the expense of the very smallest, but none of them obtained as much as one fifth of the vote. The results as reported by the Associated Press are given in the accompanying table. As there were 100 seats to be filled the number elected can be compared directly with the percentages of popular votes.

<i>Party</i>	<i>Votes Cast</i>	<i>Percentage of Votes</i>	<i>Seats Won</i>
Socialist	174,123	47.8	52
Christian Democratic	65,750	18.0	18
German Free	60,557	16.6	18
Democratic	31,486	8.6	8
Communist	18,229	5.9	4
Refugee	10,570	3.0	0
Association of Germans	3,986	1.0	0

### **Report on P. R. in India**

Information concerning the use of the Hare system of P.R. in India has recently been received from Miss Enid Lakeman of London, research secretary

<sup>1</sup> For a description of this system of P.R. see the REVIEW, October 1949, page 460.

of the Proportional Representation Society.

In 1930 the Indian Statutory Commission, sometimes known as the Simon Commission, mentioned in its report (Volume ii, page 118), that "a system of proportional representation has been constantly employed in the Legislative Assembly and the Provincial Councils for the selection of committees. No difficulty has been found in its practical operation and the members fully understand it and appreciate its advantages."

In 1935 it was provided in the Government of India Act that the members of provincial legislative assemblies should elect by P.R. members of the Federal House of Assembly, but these provisions did not come into operation before the war. The same machinery was used, however, in the election of the Constituent Assembly upon India's attaining independence after the war.

One provincial legislative council (in the Punjab) includes four members elected by P.R. by the local authorities. The current Indian draft constitution provides for the election by P.R. of one-third of each provincial legislative council (upper house) by the legislative assembly (lower house).

A body of 25 members charged with protecting Sikh holy places, known as the Sikh Gurdwaras Board, is elected by a larger group of 137 members by a variation of P.R. in which limitations are imposed upon the number elected from various geographical areas. In this case it is required that the 25 elected shall include not more than four residents of the state of Punjab, not less than twelve residents of the state of Pepsu and not less than nine residents of parts of India other than the Punjab and Pepsu.

Such limitations can easily be added to a Hare system count, since all that is required is that after four residents of the Punjab are elected, all the other residents of that area among the candidates be de-

clared defeated; and likewise, when the number of candidates for Pepsu or the rest of India is reduced to the minimum required, all the remaining candidates in that category be declared elected.

A similar limitation was in effect for city council elections in Edmonton, Alberta, during the years when P.R. was in use for that purpose. By agreement at the time of annexation, at least two out of the six members had to be residents of the part of the city known as Strathcona.

The imposition of residence or similar requirements in this fashion limits the choice of the voters and seems difficult to justify for the election of public bodies; but such arrangements might be appropriate for elections of private organizations, where distribution on a geographical or occupational basis may be desired even at some sacrifice of other personal preferences of those voting.

This type of scheme may also be suitable for other special purposes as, for example, when P.R. is used for selection by a large group of a list of topics for a program, since some distribution in the range of the program might be generally considered to be desirable even if one particular class of topic is overwhelmingly preferred.

#### **Donates P. R. Files to Library**

Judge J. C. Ruppenthal of Lawrence, Kansas, for many years a member of the Proportional Representation League, has given his files of P. R. publications, a collection covering nearly 50 years, to the

Library of the University of Kansas. Included are volumes of *Equity*, which carried a department devoted to P.R., the *Proportional Representation Review*, organ of the P.R. League in the United States, and *Representation*, issued by the British P.R. Society. Judge Ruppenthal is secretary of the Bar Association of Northwestern Kansas.

#### **COUNTY AND TOWNSHIP**

(Continued from page 530)

must be a licensed practicing physician—will be appointed for the county to check on all suspicious deaths and call for autopsy and toxicological service from the experts as he deems it necessary. The functions of the coroner system remain intact except as to determination of medical cause of death."

#### **Counties in California May Levy Sales Tax**

The legislature of California, at its 1955 session, granted counties permission to impose a 1 per cent sales and use tax. The county board of supervisors may take appropriate action to adopt the tax. The county must contract with the State Board of Equalization to administer the tax. Retailers subject to the county tax may obtain credit for city sales taxes paid by them provided the city has also entered into a contract with the Board of Equalization to administer its tax. Amounts collected by the Board of Equalization are paid monthly to the county or city concerned less "such amount as will reimburse the board for the cost to it in rendering the service."

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**Citizen Action . . . . .** *Edited by Elsie S. Parker*

## Teamwork Pays Dividends

### Indiana Chambers Work with State Legislators

EXECUTIVES of local chambers of commerce and tax research organizations in Indiana saw evidence during the 1955 session of the state legislature to indicate they have found a formula of action at home and teamwork at the state capital to deal forcefully and intelligently with legislation affecting local governments.

The problem in Indiana, probably no different from that in many states, is that the legislature, in addition to its many duties of a statewide nature, sits as a sort of glorified city council, or county or township governing body, in its consideration of hundreds of local bills at each session. It sets specific salaries, or salary ranges, for thousands of local officials. It may prescribe changes in organization of municipal corporations and hours of work for employees. It may limit or expand local governmental powers. It may say what kinds of taxes may or may not be levied, and how funds raised in the communities may be used.

It was the opinion of many executives of chambers of commerce and research groups that not enough attention was being paid to this type of legislation vitally affecting their home towns and county governmental expenditures and services.

Local government officials and employees have been well organized and powers in the legislature for many years —mayors, clerks, auditors, policemen, firemen, township trustees, county commissioners and so on down the long list. But there seemed to be no adequate study or representation on behalf of the citi-

zens and taxpayers in the consideration of proposed local laws.

The program evolved by local chamber and tax research men for the 1955 session was a result of increasing interest and cooperation among them in the past several sessions, working through the legislative committee of their professional organization, the Indiana Commerce Executives Association. This 1955 program involved:

1. Establishment of a headquarters office in Indianapolis, supplied by the Indiana State Chamber of Commerce for the duration of the legislative session. (The office was staffed by a secretary and two local staff experts, both specialists in local tax and governmental problems, who assumed primary responsibility for the office's operation under the legislative chairman and five other local executives who spent full time on the legislative front during the 61-day session.)
2. Encouraging more local executives and staff specialists to spend at least a day or two a week in the capital during the legislative period.
3. Careful reading of all bills introduced to determine their effect on local governmental operations.
4. Watching for committee hearings on bills in which they were interested and seeing that one or more of the local executives' group were present.
5. Weekly, and on occasion more frequent, bulletins to all local organizations describing the status of legislation and calling for action when necessary.
6. Encouraging more local organizations to take part in the growing Indiana practice of having regular weekend meetings with their own legislators in their home towns to discuss current legislative problems.

Since the early 1940s, Jack E. Reich, executive vice president of the Indiana

State Chamber of Commerce, and Clarence A. Jackson, his predecessor, have gone around the state preaching the necessity for action at the community level on state governmental issues. As a result, local chambers and research organizations, along with statewide business associations, using the Indiana State Chamber of Commerce with which all are affiliated as a central organization, have engaged for several years in what has become known as a "working together" program. This program, of course, continues, with the state chamber acting as a research agency and providing statewide leadership. Member organizations are relied upon to supply the citizenship interest and action in local communities necessary to success in any efforts dealing with legislation.

This program on general state issues is concerned with such subjects as state taxation, state regulation of local property taxation, unemployment compensation, workmen's compensation and labor legislation, social security, highways and other matters of statewide application.

The part of the program which came to fruition in 1955 was designed to bolster what many had determined was the weak spot in this plan for dealing with state lawmaking—the handling of "local" state legislation.

#### Typical Legislative Day

A typical day for the Indiana Commerce Executives' Association began in the morning with a meeting in the state house, when bills which had been introduced the day before were read and determination was made as to which came within the scope of the group's interests. Assignments were made to individuals to study and follow up on any future activity on the selected measures.

During the day and in the evening there was the usual business of talking over legislation with legislators and attending legislative committee meetings.

Each Tuesday morning, the local exec-

tives joined in a "legislative breakfast" sponsored by the state chamber and devoted to discussion of legislation in which the whole "working together" group was interested. Legislators, in addition to the organization executives and their committee members, were frequent guests at these breakfasts.

Tuesday noon, the local executives held their own luncheons for discussion of "local" bills and the laying of plans for future action.

Meanwhile, back home in many Indiana communities, local organizations were sponsoring weekly meetings with their legislators. This constitutes perhaps the most important phase of the Indiana program. Variously known by such names as "Third House" and "Cracker Barrel Sessions," these gatherings had been growing in number over the past several years.

The form of these meetings varies from town to town. The 1955 meetings had in common two points: They usually were held on week-ends and legislators were invited "in to present their own viewpoint, as well as to listen to the views of their fellow citizens.

#### Local Meetings

Just a few examples from the some 35 or 40 such third house or cracker barrel programs carried on during the 1955 session will serve to illustrate types of format the sessions may take:

In Fort Wayne (population 133,607), for example, the third house was conducted by a 25-member State Policies Committee of the Chamber of Commerce of Fort Wayne. This committee is made up of subcommittee members from each of five major standing committees on personnel and industrial relations; taxation; education; city, county and state relations; and public health and welfare.

Interested citizens and legislators met under auspices of the chamber each Saturday noon to discuss legislative proposals, with one topic being chosen each

week for special attention. Viewpoints expressed at the meeting were summarized and supplied to local legislators and chamber members.

The cracker barrel sessions sponsored by the Terre Haute (population 64,214) Chamber of Commerce Saturday mornings were open to all who cared to attend. Representatives of labor unions and students from Indiana State Teachers College were among those who frequently attended.

At Columbus (18,370), where the chamber executive, Stephen M. Baker, also was legislative chairman of the statewide I.C.E.A. program, third house sessions were held Friday evenings and were open to all. Purpose of the Columbus meetings was described as "to help our people in Bartholomew County understand what our state government is doing and to help keep our representatives in the House and Senate informed on how we people back home think."

#### Committees Study Bills

In Lafayette (35,568), a group of some 60 chamber of commerce members and local public officials was organized somewhat along legislative lines. Proposed legislation was assigned to committees for study. The committees—on agriculture, cities and services, counties and townships, education, insurance and banking, social security, state taxation and transportation—reported the measures back to the full group with a "do pass," "do not pass" or "do pass with amendments" recommendation. The full group then voted after discussion to accept or reject committee reports.

Recommendations of the third house, together with reasons behind them, were presented to legislators representing the Lafayette area and to chamber members.

In some communities, meetings of chamber legislative affairs committees were held during the week, followed on Saturdays by sessions with the legislators home for the weekend.

It will be noted that the third houses and similar sessions dealt with a wide range of state legislation, not just that affecting local government. For basic information, they relied mostly on copies of bills, etc., obtained by their local executives, on the legislative information and research services supplied daily by the Indiana State Chamber of Commerce, and on the bulletins on local bills supplied by the I.C.E.A. legislative office in Indianapolis.

The combination of legislative contacts and research in the state capital, and research and contacts in the legislators' home towns, has provided the foundation for the Indiana program.

#### Does Not Make Policy

The Indiana Commerce Executives Association is not a policy-making organization. Member executives are free to follow the policies of their own local group if they differ from those of the majority. But in actual practice they find themselves in agreement on almost all issues.

Included in legislation supported by the I.C.E.A. and passed by the 1955 legislature were acts which provide a workable plan for financing off-street parking facilities by local communities (which had been defeated in the previous session), provide improved methods for local planning activities, and set up procedures to make easier the annexation of suburban areas and the making of contracts with such areas for certain city services.

Other measures successfully supported are designed to improve local police and firemen's pension fund systems as well as those of teachers and other public employees. Another act establishes a study commission to make a complete survey of county officials' salary and fee schedules which it is hoped will lead to legislation in 1957 bringing a semblance of order into a salary situation which has "just grown" over a period of many years.

Many measures opposed by the I.C.E.A. group were defeated.

I.C.E.A. executives are politically wise and frank enough that they do not lay claim to all the credit either for the passage of "good" legislation or the defeat of "bad" legislation in which they were interested.

But James B. Clements of the Michigan City Chamber of Commerce, president of I.C.E.A. at the time of the recent session, undoubtedly expresses the opinion of most of his associates when he says the local executives' group was better prepared and more effective in the 1955 session than ever before.

And George H. Applegate of the East Chicago chamber, current president of the association, says he favors action along the same pattern in the next legislative session.

MAURICE C. GRONENDYKE  
*Administrative Assistant*

Indiana State Chamber of Commerce

#### New Organization

A group of citizens has recently formed the Beachwood (Ohio) Voters' League. Beachwood is a suburb of Cleveland.

#### Community Council Leaders Meet

Some 40 representatives of Michigan community councils met last spring in Ann Arbor to hear about the plans of other town councils as well as to meet with the staff of the Community Adult Education Department of the University of Michigan. "Purpose of the conference," according to the *Michigan Community News Letter*, "was to attempt to determine the effectiveness of the councils in their local areas and to see if the services of the University Community Adult Education Department were meeting the needs of the attending councils."

Among the findings were these: There should be better communication between the local council and the department and between the various councils themselves; local councils and their problems must be made known to the department—the

town should not wait until the service is offered but should write in or call about the problem at hand; a directory of all known community councils should be prepared, listing officers and accomplishments; more direct consultation with the staff of the department was suggested by some; need for inter-town action and planning was described as important; there should be cooperation between community councils and their local governments; councils should develop new and potential leadership; councils must make themselves interesting to the townspeople they wish to represent.

#### Two Presidents for One

So great has been the load of responsibility borne by the president of the Cincinnati City Charter Committee, the organization has decided to divide the work between two officials. At its July meeting the committee elected Mrs. Elizabeth Reid Cash, widow of former Mayo. Albert D. Cash and former city councilwoman, as its first woman president. At the same time it created the office of chairman of the board, to share presidential duties, electing Robert P. Goldman, Cincinnati attorney and a member of the board for 25 years, to the post. Past president of the organization is Leonard M. Sive, who served in that capacity for nearly five years.

As president, Mrs. Cash will serve as chief administrative officer and be responsible for committee appointments and organizational work. Mr. Goldman will preside at meetings of the committee and of its board. He will work in close liaison with the board and city councilmen on city problems and research.

### Coming Conferences

A national conference on community development, under the auspices of the Adult Education Association of the U.S.A., will be held November 11-13 at the Jefferson Hotel in St. Louis. The conference will bring together a forum of social scientists and community planners to assess the impact of adult education on community growth. It is expected that fifteen hundred persons will attend. There are four chief topics to be discussed: criteria of a good community, obstacles affecting the development of the community, the role of adult education and allied interests in contributing to the growth of the community, and the implication of world affairs on the community.

Preceding the conference, workshops will be held in all 48 states to review the status of programs to improve communities in those areas. Results of the survey will be made available at the conference through exhibits and seminars.

The National Council for Community Improvement, St. Louis, reports that preliminary arrangements have been made for a Conference on American Principles and Community Responsibility to be held in Washington, D.C., in February 1956.

### Strictly Personal

At the annual dinner of the Citizens Union of New York City, its assistant secretary, Miss Eleanor Tanzer, was presented with an award "beautifully lettered in black and red and eloquently worded," and a gold charm bracelet, in honor of her eighteen years of service. Miss Tanzer is relinquishing her work as assistant secretary but will continue as editor of the union's *Across from City Hall*.

### CITY, STATE AND NATION

(Continued from page 527)

### Home Rule Studied in New York State

An advisory committee was appointed early in October by Governor Averell

Harriman of New York to study methods of expanding home rule privileges of cities and villages and to advise him as to recommendations to be given the legislature. The study is to begin but is not expected to be completed this year. The twelve-member committee is headed by State Comptroller Arthur Levitt, and includes various state and local officials.

### THE 48 STATES

(Continued from page 505)

ernor empowered to lead and a responsible two-party system are long steps toward effective state government. Yet another step is needed. State elections should be disentangled from national elections. The important issues of state government are too frequently obscured by the drama of the national contest. The American Assembly recommends that state elections be held in non-presidential years.

### III.

Policy decisions are futile unless they are carried out effectively. The governor is the appropriate person to direct and coordinate state administrative activities. If he is not in reality chief executive, each department becomes responsible only to itself and to the narrow and particular interest groups regulated or served by its activities. The result is not one state government but twenty or thirty in the same state, each with a special function and with but a fragment of the public as its clientele and controller.

It has been argued that certain activities should be insulated from control by the governor and sometimes from control by the legislature as well. To accommodate these ar-

gements we would have to dissolve state government as an entity; indeed this is virtually what has happened in a number of states. To endorse autonomy for agencies as a general principle would be to deny that state activities have interrelations and that they need coordination in the general public interest.

To assure the governor's administrative leadership, the American Assembly recommends that the ballot be shortened to provide for popular election of only the governor, the lieutenant governor and the auditor with exclusively post-audit functions (although legislative selection of the auditor is an alternative). Heads of agencies should be appointed by the governor and their terms should coincide with his.

Every design for government has to face up to the possibility that an occasional chief executive may be weak or bad. But to shape a state government so that an error by the people cannot bring bad consequences is also to shape one that prevents sound decisions by the people from bringing good consequences. We must count on the people, the parties, the press, the legislature and the courts to hold a governor responsible.

The elimination of boards standing between the governor and the agency administrators does not mean the loss of the advice of interested and public-spirited citizens. We favor advisory boards attached to the departments to assure maximum consultation by administrators with citizens on questions of both policy and administration.

We recommend that the states maintain or adopt appropriate de-

vices to periodically survey the efficiency and expenses of state governmental machinery.

Competent people are needed in state government. The states' record on personnel needs substantial improvement. More of our able men and women must be attracted to the top administrative and professional positions, for they are among the most influential persons in setting the whole tone of state administration. Salaries for these posts need reconsideration. The problem of personnel runs deeper. States need to develop complete modern programs of personnel policies and personnel administration at all levels. They need to look critically at the effects of veterans' preference provisions on the state service, and they need to encourage selected employees to broaden and deepen their training and experience.

#### IV.

The power of the purse has been for centuries a major instrument of popular control of executive and administrative activities. The American Assembly believes that constitutional or statutory earmarking of specific taxes for specific purposes eats away this important power. In some states more than three-fourths of state expenditures are thus beyond effective control by the legislature and the governor. Earmarking, which has its defenders, has gone much too far and the process should be reversed. It feeds on itself. Each agency without earmarked income covets the position of those agencies that have their own particular tax. In important instances the national government requires earmarking of

specific revenues as a condition for certain federal grants-in-aid. Congress should repeal these requirements. Legislatures and governors should repossess the power of the purse.

Proposing to the legislature a comprehensive budget program that covers the whole range of governmental activities is properly the job of the governor. Most states have recognized this principle, but it has limited significance in practice so long as extensive earmarking continues.

In a number of states the governor is authorized to veto individual items in an appropriation bill, and so is not forced, like the president, to accept all the bill or none. The item veto should be adopted in every state.

The states' capacity to govern is often crippled by constitutional limitations on taxing and borrowing powers. These shackles should be removed. Zeal for new tax levies is not characteristic of state legislatures. In addition, we recommend that the governors and the legislatures carefully scrutinize the efficiency of the collection of existing taxes and the revenue opportunities developed by other states.

#### V.

The American Assembly recommends that those states which have not already done so, should take steps to secure a modernized, short, basic state constitution; further, that in every state citizens be given the right to call constitutional conventions at periodic intervals.

We recognize that the state governments must earn the confidence of their people before the people will dispense with detailed constitutional restrictions. Representative legislatures, a governor who is the leader in policy initiative and administration, comprehensive budgeting and party responsibility will all contribute to that confidence. In addition, such confidence can be increased and maintained if responsible officials of all branches of state government recognize the critical importance of the people's right to be fully and completely informed about the public business.

#### VI.

Throughout its deliberations the American Assembly has considered state governments as they are and state governments as they could be. Its recommendations are not utopian, for progress toward the goals outlined in this report is observable in many states. The objectives can be achieved.

Success will not come automatically, however. Realistic steps will be taken when the leaders of important economic and civic groups, joining with scholars, journalists and party chiefs, move through awareness to action.

The Assembly has emphasized in these findings the importance of improvement in the machinery and operation of our state governments, but it also stresses the extreme importance of citizen interest and participation as the only final assurance of effective and responsive government.

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Researcher's Digest . . .*Edited by Samuel K. Gove*

## City-county Finance Relations Studied

### Winston - Salem, Forsyth County (N. C.) Ask Report

CITY-COUNTY financial relationships, a subject infrequently investigated, is discussed in a report of the University of North Carolina Institute of Government. *A Study of Seven Large Counties and Seven Large Cities*, prepared at the request of Forsyth County and Winston-Salem, was written by John A. McMahon. In it financial relationships of the seven largest North Carolina cities and their counties are reviewed generally. In certain specific areas, such as property taxation and expenditures for governmental functions, detailed discussion is included. As would be expected, great variations in these relationships are revealed by the research and no common pattern is observable. This is due to the distribution of governmental functions "and should come as no surprise, for the allocation of governmental functions between counties and cities has not always been logical, either in North Carolina or the United States."

As a supplement, a subsequent report was prepared pertaining specifically to the city-county relationships of Forsyth County and Winston-Salem for submission to the local officials originally requesting the study. In the supplementary report, the co-authors, Mr. McMahon and George H. Esser, Jr., of the institute staff, formulate four general principles which can be applied to financial relationships between a county and a city or cities within its borders. These principles are:

"1. Where a county and a city or cities are cooperating to carry out an activity that each must perform for its citizens,

the cost of the activity should be apportioned to each participating government on the basis of its use of the activity.

"2. Where a city is supporting an activity that renders a special service to the county within which the city lies, the county should pay the cost of the service rendered to it and, if that cost is met from the county treasury, the service should be available equally to all citizens in the county.

"3. Activities financed by county-wide taxation should be available to all geographic areas in the county; if a particular activity is performed only in one geographic area, either it should be financed from taxes or other charges levied in that area or the activity should be extended in some manner to all areas in the county.

"4. At times, a city may wish to undertake an activity that its county is unwilling or unable to undertake, or the city may desire a higher level of service than the county is willing or able to provide; and the city as a by-product of providing the activity or higher level to its citizens may make such activity or higher level available to outside-city residents. In such situations, city taxes are providing services for outside-city residents, and therefore attention might well be given to the possibility of ultimate county-wide support of the entire activity, recognizing that the acceptance of such support will entail agreement of a majority of all the citizens in the county. If ultimate county-wide support is impossible, the city will have to choose between restricting the benefits of the activity or the higher level to city residents, or if that be impractical either discontinuing it or continuing to make it available to outside-city residents."

The authors applied these principles to the specific situation in Winston-Salem and Forsyth County and found varying

acceptance. They point out in the report's concluding section that there may be flaws in the principles or needed modifications.

## The States and Metropolitan Areas

*The State's Interest in the Metropolitan Problem* with particular emphasis on the California situation is discussed in a report issued by the University of California Bureau of Public Administration. The late Samuel C. May and James M. Fales, Jr., authors of the 31-page monograph, review the history of the California metropolitan area problem and the proposed solutions that have been considered in the past. They divide these proposals into two categories, those not requiring fundamental structural changes and those requiring such changes. In the former category are such stop-gap proposals as extraterritorial jurisdiction of cities and special districts; in the latter, annexation or consolidation of adjacent municipalities and the municipalized county.

Under current solutions to the metropolitan problem, the report suggests three main possibilities: creation of a separate state agency, such as a division of local government; an exchange of cooperation and research among the metropolitan areas through state government stimulation; and home rule on a metropolitan area-wide basis. The authors write that the last named proposal is "perhaps the most promising method of meeting metropolitan problems."

They conclude the study by pointing out that "there is no one 'right' solution to the metropolitan problems of the state of California. Each area must tailor-make each solution to its own particular circumstances. It is the responsibility of the citizens and public officials of each metropolitan area in the state to devise or choose the solution and type of gov-

ernment they wish to live under. It is the state's responsibility to enable these areas to solve their metropolitan problems through the stimulation of public interest, through the full utilization of the expert research and investigative work that has been done, and through the provision of statutory aids, in order that each area may successfully adjust its governmental structure to meet its own particular situation."

## Maryland Local Government Reviewed

The Bureau of Governmental Research at the University of Maryland has published a review of that state's local government with the emphasis being on administration and organization. The authors of *Local Government in Maryland*, Don L. Bowen and Robert S. Friedman, have surveyed the organizational, financial and functional aspects of county and municipal government in some detail, as well as those of special units of local government. In the opening chapter of the report, state-local relations as well as interlocal relationships are discussed. Subsequent chapters are concerned with the structure of county and city government, with a separate chapter being devoted to the city government of Baltimore. The various forms of government available to cities are described and organization charts illustrating each form are included. Election, financial and personnel administration are discussed where appropriate.

The final chapter of the 143-page study is a description of special districts, tax areas and authorities. As in most states, the functions, legal status, governmental autonomy and fiscal powers of these units vary considerably. The chapter includes a section reviewing briefly twelve special units which are representative of Maryland practice and illustrate the prevailing legal bases and governmental autonomy of the special units.

### **Financing Canadian Highways**

The first comprehensive survey of highways and their financing in Canada has recently been published by the Canadian Tax Foundation. *Taxes and Traffic* is an analysis of the theoretical and practical aspects of highway financing and includes a detailed history of roads in Canada. An extensive bibliography is appended.

The report states that the problem of finding funds to meet the future demands for highways raises some of the most acute issues in public finance. Four important steps to a solution are listed and include: more studies and surveys, provincial aid to municipalities, federal aid for highway purposes, and the development of toll roads. However, in regard to the last named, the report concludes that: "Toll roads should be regarded primarily as a device for financing since they have no intrinsic superiority over an equally well constructed free road. As a financing device they may be justified in some circumstances where economically feasible projects cannot be financed in the usual manner."

### **California Conference on State Legislature**

The Department of Political Science and College of Law of the University of California (Berkeley) recently sponsored a three-day conference on "The State Legislative Process Today." The main purpose of the conference was to explore and to identify the most important problems facing state legislatures in adapting their organization and procedures to deal with the complex issues of modern society. The conference was designed to stimulate further research on the state legislative process and to aid the university in strengthening its instruction and training in this field. Out-of-state participants included U.S. Senator Richard Neuberger from Oregon,

Herbert Wiltsee of the Council of State Governments, and Frederick Guild of the Kansas Legislative Council.

### **Research Award**

The first winner of the John M. Pfiffer research award, given by the University of Southern California's Bureau of Public Administration, was Robert C. Creighton of the Long Beach (California) Department of Health. The award was given for Mr. Creighton's thesis *Administrative Management in the Public Service*, which was judged outstanding among those submitted during the past academic year. Criteria for the award are: (1) originality of the basic concepts and research design, (2) quality of research, (3) significance to the literature of public management, (4) degree of writing skill, (5) organization of thesis particularly the integrity of outline and logic of approach, and (6) mechanical form.

### **With the Research Groups**

The Washington State Research Council has expanded its program by opening a third office. The council, established in 1954, has announced the establishment of an eastern Washington office at Spokane, with John H. Current in charge. Among major study projects that the council has undertaken is an analysis of the state's fiscal affairs. Dr. John F. Sly of the Princeton Surveys has been engaged on a consultative basis for the study.

The Texas Research League, founded in 1952, has been authorized to undertake studies of state highways, state purchasing practices, welfare programs and the state employee pension systems. The league also has published a pamphlet explaining its operations and scope of activities. The pamphlet is a speech by the league's president, Hines H. Baker, and notes that the organization undertakes a study only upon the request of public officials.

# Books in Review

## Metropolitan Areas

METROPOLITAN LOS ANGELES—A STUDY IN INTEGRATION. XIV: FINANCE AND TAXATION, by Winston W. Crouch, John E. Swanson, Richard Bigger and James A. Algie; XV: INTERGOVERNMENTAL RELATIONS, by Winston W. Crouch; XVI: THE METROPOLIS: Is INTEGRATION POSSIBLE? By Edwin A. Cottrell and Helen L. Jones. Los Angeles, The Haynes Foundation, 1954 and 1955. 160, 173 and 129 pp. respectively. \$2.25, \$2.25 and \$2.00.

With the publication of these three monographs the sixteen-volume series, *Metropolitan Los Angeles—A Study in Integration*, is complete.

Although volume XIV, on *Finance and Taxation*, is limited to a particular dimension of the metropolis, it helps place in perspective the whole range of governmental programs discussed in other volumes of the series. Certainly, where the money comes from is a fundamental question no matter what the function is. A useful analysis of revenue sources and problems of debt and budget administration is included, along with an account of the success of city-county consolidation of assessment and tax collection.

The report on *Intergovernmental Relations* presents an excellent illustration of the complexities of intergovernmental relations in a metropolitan area. It underscores the point made by the Commission on Intergovernmental Relations (Kestnbaum Commission) that in metropolitan areas intergovernmental relations appear in their most intricate pattern. These relationships take many forms—state-local, federal-local, county-other local governments, special districts-other units, inter-city, extraterritorial powers. Each of the foregoing is the subject of a chapter. The importance of the informal cooperation between professional administrators in different units of government is emphasized, but Dr. Crouch concludes that

"this type of relationship has developed as far as may logically be expected."

After appraising functional consolidation as a device for meeting problems of intergovernmental relations, the author suggests a series of principles which should govern policies effecting functional consolidation. He notes the need for asserting leadership in achieving further intergovernmental cooperation and suggests three types of leaders: the county government, unofficial civic associations or the state.

The final monograph "lays the foundation for a general understanding of the processes of local government, . . . shows the ways in which jurisdictions work together and delegate authority and responsibility to each other, . . . briefs the more important steps toward integrated action which have been taken or proposed, . . . presents a long range plan which can serve as a guidepost to eventual integration." The plan is not spelled out in detail but looks to a metropolitan-wide multi-purpose agency, representing existing units which would maintain their autonomy on all matters not under the jurisdiction of the local agency.

"Some form of metropolitan municipalized home rule government is more necessary now than ever before in our history. Whatever course of action is finally taken, the success with which the metropolitan area challenge is met will be a measure of the alertness of city officials and political scientists but, most importantly, it will mirror the continuation or the defeat of the lethargy and indifference of the public. The research has been done. Knowledge of existing governmental patterns and relationships has been made available. Ideas for the future have been formulated. Now must come action and leadership in bringing about any one of several of the results anticipated and the benefits attending governmental integration in the metropolitan area."

In this final monograph the entire series is dedicated to Professor Edwin A. Cottrell of Stanford University, trustee and consultant to the Haynes Foundation, who until his death was the active director of the study on metropolitan integration.

W. N. C., JR.

**METROPOLIS IN THE MAKING—The Next Twenty-Five Years in the New York Metropolitan Region.** Proceedings of the Twenty-Fifth Anniversary Celebration of the Regional Plan Association, Inc., New York, October 6, 1954. New York, The Association, 1955. 88 pp. Clothbound, \$3.00; paperbound, \$2.00.

During the 1920s the monumental *Regional Plan of New York and Its Environs* was carried on under the direction of Thomas Adams and with the general supervision of a committee of prominent citizens. Charles D. Norton was the first chairman. After his death, when the undertaking was in its early stages, Frederic A. Delano took over. The plan's work was published in ten survey volumes and two volumes of recommendations with extensive commentary. The Russell Sage Foundation financed the enterprise in the amount of some \$1,300,000.

In 1929, when the Regional Plan's work was substantially finished, it turned over its records to the recently formed Regional Plan Association, which since then "has worked for the continued development of the Regional Plan, for its realization and for the betterment and extension of county and municipal planning throughout the metropolitan area." At its 25th anniversary meeting last year, the association built its program, particularly the luncheon and afternoon sessions, on the theme of "the next 25 years."

The three major addresses, with short commentaries, make up most of this booklet. It should be read and pondered by all persons concerned with metropolitan problems. The content of the talks and discussion is high. It marks a notable point in the career of an unusually com-

petent, ably run, non-official organization that is grappling with the almost terrifyingly complex problems of growth and change in this gargantuan metropolitan area.

It takes only a casual reading to recognize the service that the association is providing to those who can see, or at least sense, the nature of some of the area's major problems. For this, as well as for the patient, even-tempered spirit that has marked its efforts over the years, one must take off his hat to the association and wish it well during the next quarter-century. On the other hand, he cannot but reflect a bit on the limitations of such an association when it is up against issues of the character of those discussed in this volume, notably transportation and governmental organization in the New York area.

How could the association's work be most effectively supplemented? How can working officials be encouraged to do much more than they have done so far in furthering combined attacks on big problems? How can more thoughtful citizens, officials and non-officials, be helped to see that many metropolitan issues involve much more than professional techniques, partisan politics and humdrum housekeeping services? What programs of research, education and action are called for?

COLEMAN WOODBURY  
West Cornwall, Connecticut

## Additional Books and Pamphlets

### *Access to Public Records*

**THE PEOPLE'S RIGHT TO KNOW. Legal Access to Public Records and Proceedings.** By Harold L. Cross. New York, Columbia University Press, 1954. xxiv, 405 pp. \$5.75.

### *Annexation*

**AN EVALUATION OF ANNEXATION PROCEDURES IN ALABAMA.** By Robert T.

Daland. Montgomery, The Alabama League of Municipalities, 1954. 37 pp.

#### *Assessment*

COMPARATIVE LEVELS OF ASSESSMENT FOR FARMS AND RURAL RESIDENCES IN 15 NEW YORK TOWNS, 1954. By Floyd L. Corty. Ithaca, Cornell University, New York State College of Agriculture, Department of Agricultural Economics, 1955. 27 pp.

#### *Authorities*

STATISTICAL DATA PERTAINING TO PENNSYLVANIA MUNICIPAL AUTHORITIES. By E. T. Larson. Harrisburg, Commonwealth of Pennsylvania, Department of Internal Affairs, Bureau of Statistics, 1955. 6 pp.

#### *Bill Drafting*

BILL DRAFTING MANUAL FOR THE KENTUCKY GENERAL ASSEMBLY. Frankfort, Commonwealth of Kentucky, Legislative Research Commission, 1955. 44 pp.

#### *Budgets*

THE NEED FOR FURTHER BUDGET REFORM. A Joint Statement by the Board, Agriculture, Business, Labor and International Committee Members of the National Planning Association Present at the Twentieth Anniversary Joint Meeting, December 13 and 14, 1954, Washington, D. C., and THE FEDERAL BUDGET AND THE NATIONAL ECONOMY. How to Make the Federal Budget a Better Tool of Fiscal Policy. By Gerhard Colm and Marilyn Young. Washington 9, D. C., National Planning Association, 1955. vi, 101 pp. \$1.50.

#### *Chambers of Commerce*

ASSOCIATION ACTIVITIES. A Survey of 634 Associations. Washington 6, D. C., Chamber of Commerce of the United States, Trade Association Department, 1955. 38 pp. \$1.00. Discounts on quantity orders.)

LIST OF CHAMBERS OF COMMERCE IN THE UNITED STATES IN ALL CITIES OF 5,000 POPULATION AND OVER. New

York City, Chamber of Commerce of the State of New York, 1955. 53 pp. \$1.00.

#### *Constitutions*

CONSTITUTIONAL DEVELOPMENT IN ALABAMA, 1798-1901: A STUDY IN POLITICS, THE NEGRO, AND SECTIONALISM. By Malcolm Cook McMillan. Chapel Hill, University of North Carolina Press, 1955. viii, 412 pp. \$2.50.

#### *Economics*

AMERICA'S NEEDS AND RESOURCES. A New Survey. By J. Frederic Dewhurst and Associates. New York, The Twentieth Century Fund, 1955. xxix, 1148 pp. \$10.00.

#### *Education*

FACTS, FIGURES, AND CHARTS ON UTAH SCHOOLS. Salt Lake City, Utah Foundation, 1955. 33 pp. \$1.00.

#### *Intergovernmental Cooperation*

BIENNIAL REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY. Springfield, Illinois Commission on Intergovernmental Cooperation, 1955. 16 pp. (Apply Department of Finance, Division of Department Reports, Springfield, Illinois.)

#### *Judicial Administration*

SMALL CLAIMS COURTS IN THE UNITED STATES. COURT COMMISSION SYSTEMS AND REFERENCES. COMPARATIVE NEGLIGENCE. New York, Institute of Judicial Administration, 1955. 49, 39 and 34 pp., respectively.

#### *Leadership*

A STUDY OF LEADERSHIP IN SCHOOL DISTRICT REORGANIZATION. By William P. McLure, and James E. Stone. Urbana, University of Illinois, College of Education, Bureau of Educational Research, 1955. 86 pp.

#### *Manuals*

HANDBOOK FOR CLERKS OF CIRCUIT COURT IN WISCONSIN. By Ruth Baumann. Madison, University of Wisconsin, University Extension Division, Bureau of Government, 1955. 54 pp. \$1.25.

**Mental Health**

**THE PROGRAM FOR THE MENTALLY RETARDED.** Austin, Texas Research League, 1955. 106 pp.

**THE TURNING KEY.** By Bert Kruger Smith. Austin, University of Texas, The Hogg Foundation for Mental Hygiene, 1955. 49 pp.

**Municipal Government**

**A BRIGHTER FUTURE FOR AMERICA'S CITIES.** A Complete Report on the Businessmen's Conference on Urban Problems, San Diego, California, March 4 and 5, 1954. Washington 6, D. C., Chamber of Commerce of the United States, 1955. 149 pp. \$1.00.

**Parking**

**CENTRAL BUSINESS DISTRICT PARKING.** Columbia (South Carolina), City Planning Commission, 1955. 65 pp. Charts.

**TOWN OF KEARNY PARKING SURVEY.** Princeton, New Jersey, Community Planning Associates, 1955. 36 pp. \$2.00.

**Personnel**

**PAY ROLL PRACTICES OF LOCAL GOVERNMENTS** in the United States and Canada. Chicago 37, Municipal Finance Officers Association of the United States and Canada, 1955. 10 pp. 75 cents.

**TOWARD A STRONGER CIVIL SERVICE.** Report of the State Personnel Administration Commission to the 69th Illinois General Assembly. Springfield, the Commission, 1955. 51 pp.

**YOUR WORK IN THE MILWAUKEE CITY SERVICE.** A manual for employees of the City of Milwaukee, Wisconsin. Milwaukee, City Service Commission, 1955. 40 pp.

**Planning**

**AMERICAN PLANNING AND CIVIC ANNUAL.** A Record of Civic Advance in the Fields of Planning, Parks, Housing, Neighborhood Improvement and Conservation of Natural Resources, Including Addresses Delivered at the Golden Anniversary Citizens Planning Conference of the American Planning and Civic As-

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**PLANNING YOUR COMMUNITY.** By Lyle C. Kyle. Lawrence, University of Kansas, Governmental Research Center, 1955. 24 pp.

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**POPULATION MOVEMENT IN THE PHILADELPHIA STANDARD METROPOLITAN AREA 1940-1950.** By Glenn Hutchinson. Bridgeport, Southeastern Pennsylvania Regional Planning Commission, 1955. 48 pp.

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**Public Welfare**

**FEDERAL BLOCK GRANTS TO STATES FOR PUBLIC WELFARE PURPOSES and APPENDIX.** By Edward A. Lutz. New York, Government Affairs Foundation, 1954. 297 and 64 pp. respectively.

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**Racial Relations**

**FORBIDDEN NEIGHBORS. A Study of Race Prejudice in Housing.** By Charles Abrams. New York, Harper & Brothers, 1955. xi, 404 pp. \$5.00.

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(Continued from page 514)

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Above, left, Elsie S. Parker, assistant editor of the NATIONAL MUNICIPAL REVIEW, in her office. Right, a glimpse of the portrait of James C. Carter, first League president, in the second floor hallway. Below, Ralph Rivers, building superintendent, with Robert Lach, mail clerk, in the production department, originally the laundry of the house.





## Ever Have a "Lights On" Celebration in Your City?

A "Lights On" celebration is a real community occasion. Often an entire town, thousands strong, turns out to see a public official switch on new street lights for the first time.

Why?

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But there's always a more important reason underlying all this public interest: people *want*, and appreciate, good street lighting. They know they prefer to shop

along well-lighted streets. They know they're safer when walking or driving along well-lighted streets. They come to a turn-on ceremony which they know will make their city's street lighting compare favorably with that of neighboring communities.

In short, good street lighting comes to be a bright, visible symbol of the services the people expect—and get—from progressive municipal officials.

Why not talk over your city's street lighting with your local electric utility? You'll find them glad to help you in arriving at planned, practical solutions to your street lighting problems!

"Out of Darkness," a new, dramatic film story of how one community met its street lighting problems, is now available to civic groups, community service organizations, etc. This 16-mm, sound, black and white movie runs 26 minutes. Borrow a print of "Out of Darkness" from your nearest G-E Apparatus Sales Office.

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Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

GENERAL  ELECTRIC

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Citizen groups often turn to the League for help in achieving better government in their locality. Listed below are some of the tools available to them:

### Campaign Pamphlets

Story of the Council-Manager Plan, 36 pages (1954).....	.20
Charts: Council-manager Form, Commission Form, Mayor-council Form (17½ x 22½"), 50 cents each, set of three.....	1.00
County Manager Plan, 24 pages (1950).....	.25
Forms of Municipal Government—How Have They Worked? 20 pages (1953).....	.25
Facts About the Council-Manager Plan, 8 pages (1954).....	.05
City Employees and the Manager Plan, 4 pages (1952).....	.05
Labor Unions and the Council-Manager Plan, 8 pages (1953).....	.05
P. R., 12 pages (1952).....	.05
The Citizen Association—How to Organize and Run It, 64 pages (1953).....	.75
The Citizen Association—How to Win Civic Campaigns, 64 pages (1953).....	.75
(The two pamphlets above may be purchased together for \$1.20)	

### Model Laws

Model Accrual Budget Law, 40 pages (1946).....	.75
Model Cash Basis Budget Law, 42 pages (1948).....	.75
Model City Charter, 173 pages (1941).....	1.50
Model County and Municipal Bond Law, 54 pages (1953).....	1.00
Model County Charter (New edition in preparation).....	1.50
Model Direct Primary Election System, 48 pages (1951).....	1.00
Model Investment of State Funds Law, 23 pages (1954).....	1.00
Model Real Property Tax Collection Law, 40 pages (1954).....	1.00
Model State and Regional Planning Law (1954).....	1.00
Model State Civil Service Law, 32 pages (1953).....	.75
Model State Constitution, 72 pages (1948).....	1.00
Model State Medico-legal Investigative System, 39 pages (1954).....	.50
Model Voter Registration System, 36 pages (1954).....	1.00

### Other Pamphlets and Books

American County—Patchwork of Boards, 24 pages (1946).....	.35
Best Practice Under the Manager Plan, 8 pages (1954).....	.15
Civic Victories, by Richard S. Childs, 567 pages (1952).....	2.50
Coroners in 1953—A Symposium of Legal Bases and Actual Practices, 90 pages, mimeographed (1954).....	2.00
Digest of County Manager Charters and Laws, 70 pages (1954).....	2.00
Guide for Charter Commissions, 44 pages (1952).....	.75
Manager Plan Abandonments, by Arthur W. Bromage, 36 pages (1954).....	.50
The Metropolitan Problem—Current Research, Opinion, Action, by Guthrie S. Birkhead (reprinted from NATIONAL MUNICIPAL RE- VIEW), 12 pages (1953).....	.25
More Responsible States. Panel Discussion, National Conference on Government, Richmond, Virginia, 33 pages, mimeographed (1955).....	.50
New Look at Home Rule, by Benjamin Baker etc. (reprinted from NATIONAL MUNICIPAL REVIEW), 32 pages (1955).....	.50
Proportional Representation—Illustrative Election, 8 pages (1951).....	.10
Proportional Representation—Key to Democracy, by George H. Hallett, Jr., 177 pages (1940).....	.25
Save Our Cities, by Joseph E. McLean etc. (reprinted from NATIONAL MUNICIPAL REVIEW), 32 pages (1954).....	.35

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